

Jack L. Ruby

44-24016

Mr. Tolson	
Mr. Belmont	
Mr. Mohr	
Mr. Casper	
Mr. Callahan	
Mr. Conrad	
Mr. DeLoach	
Mr. Evans	
Mr. Gale	
Mr. Rosen	
Mr. Sullivan	
Mr. Tavel	
Mr. Trotter	
Tele. Room	
Miss Holmes	
Miss Gandy	

JK

CODING UNIT

Nov 28 12 34 PM '63

**C.I.A.
RELEASE**

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DECLASSIFIED BY *SP6 [redacted]*
ON *2/2/89 #6450*
Rurc 1A letter 9/23/88

*67C/FB6 - [signature]
9- Mr. Andrews*

TO ZEN/WHITE HOUSE ATTN: MR. MCGEORGE BUNDY
ZEN/DEPARTMENT OF STATE ATTN: MR. U. ALEXIS JOHNSON
FEDERAL BUREAU OF INVESTIGATION

~~SECRET~~

CIA NBR 85657

*already handled
Bureau cable to Legat
London 1/27/63
RIS*

ON 26 NOVEMBER 1963 A BRITISH JOURNALIST NAMED JOHN WILSON,
AND ALSO KNOWN AS JOHN WILSON HUDSON, GAVE INFORMATION TO THE
AMERICAN EMBASSY IN LONDON WHICH INDICATED THAT AN "AMERICAN
GANGSTER TYPE NAMED RUBY" VISITED CUBA AROUND 1959. WILSON
HIMSELF WAS WORKING IN CUBA AT THE TIME AND WAS JAILED BY
CASTRO BEFORE HE WAS DEPORTED.

ENG. C

IN PRISON IN CUBA, WILSON SAYS HE MET AN AMERICAN GANGSTER
GAMBLER NAMED SANTOS WHO COULD NOT RETURN TO THE U.S.A. BECAUSE
THERE WERE *3 DEC 3 1963* *REC 21* *44-24016-262* *REC 21* *1963* *INDICTMENTS* OUTSTANDING AGAINST HIM.
INSTEAD HE PREFERRED TO LIVE IN RELATIVE LUXURY IN A CUBAN PRISON.

JACK LLOYD

RELEASE

0-23 TWO

WHILE SANTOS WAS IN PRISON, WILSON SAYS, SANTOS WAS VISITED
FREQUENTLY BY AN AMERICAN GANGSTER TYPE NAMED RUBY. HIS STORY IS
BEING FOLLOWED UP. WILSON SAYS HE HAD ONCE TESTIFIED ABOUT CASTRO
ACTIVITIES BEFORE THE EASTLANT COMMITTEE OF THE U.S. SENATE,
SOMETIME IN 1959 OR 1960.

b3
(50 U.S.C.
403)
CIA

....

TOR: 28/1732Z

RGRG AND CUL X

RGR

UNITED STATES GOVERNMENT

Memorandum

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Casper _____
Callahan _____
Conrad _____
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Evans _____
Gale _____
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Sullivan _____
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Holmes _____
Gandy _____

TO : W. C. SULLIVAN ~~SECRET~~ DATE: December 2, 1963

FROM : D. J. BRENNAN *APM*

SUBJECT: JACK LEON RUBY
INFORMATION CONCERNING
(LIAISON)

noted

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(50
U.S.C.
403)
per
CIA*

[REDACTED] (S)

[REDACTED] (S)

(S) [REDACTED] advised that he had no reason to believe that the afore-mentioned individual is identical with the subject and he was passing this on strictly for the Bureau's information.

Liaison Supervisor Bartlett has checked with the Passport Office of the Department of State and has determined that Jack Leon Ruby, who killed Lee Harvey Oswald, never applied for a passport. His name has been checked under all known variations.

ACTION:

For information.

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED EXCEPT
WHERE SHOWN OTHERWISE.

- 1 - Mr. Belmont
- 1 - Mr. Sullivan
- 1 - Mr. Rosen
- 1 - Mr. Martindale
- 1 - Liaison
- 1 - Mr. Papich
- 1 - File (Lee Harvey Oswald)

SJP:gp (8)

REC-45

44-24016-386
5 DEC 4 1963

Classified by SP6 [REDACTED] b7C/FBI
Declassify on: OADR 2/2/89
Per CIA letter 9/23/88.

~~SECRET~~

UNRECORDED COPY FILED IN

UNITED STATES GOVERNMENT

Memorandum

TO : Mr. Belmont

DATE: December 17, 1963

FROM : A. Rosen

ALL INFORMATION CONTAINED

HEREIN IS UNCLASSIFIED

DATE 2/2/89 BY SP6 [REDACTED]

SUBJECT: WARREN COMMISSION

ASSASSINATION OF THE PRESIDENT

Jack Ruby

Tolson	
Belmont	
Mohr	
DeLoach	
Evans	
Gale	
Sullivan	
Trotter	
Tele. Room	
Holmes	
Gandy	

Mr. J. Lee Rankin telephonically advised that as a result of the meeting of the Commission on Monday afternoon there would be a formal request in writing for the raw reports of the Bureau which would back up the material that the Bureau has furnished to the Commission. Mr. Rankin was advised that based on the publicity given to the Commission's meeting yesterday this material is being gotten together and would be forthcoming as soon as possible. Mr. Rankin advised that there had been some difficulty on the part of the Commission members in understanding some of the handwriting specimens and would like to get a clarification on this. Malley has an appointment with Mr. Rankin today at 4:00 p.m., at which time sufficient details will be obtained in order to clarify this.

Mr. Rankin stated the Commission was interested in obtaining data concerning the income tax returns of Jack Rubenstein, also known as Jack Ruby, and Oswald as well as Mrs. Ruth Paine of Irving, Texas, and that these returns should cover a number of years. This will be further clarified with Rankin today.

Mr. Rankin advised that the Commission was very much interested in the medical reports relative to the shooting of the President, both the results of the examination at Parkland Hospital, Dallas, Texas, as well as the medical reports from the U. S. Naval Hospital, Bethesda, Maryland. Rankin was advised that the reports from the Parkland Hospital were readily available and had been included in one of our reports; however, the medical report from the U. S. Naval Hospital at Bethesda was not in the possession of the Bureau and had not been included inasmuch as the President's family had indicated a desire that the report be kept confidential. The medical report from the Bethesda Hospital is in the possession of Secret Service and can be obtained upon asking. This will be further discussed with Rankin today.

1 - Mr. Sullivan

JRM:hw

) 7 (

NOT RECORDED
199 DEC 20 1963

5 DEC 20 1963

68 DEC 27 1963

SIX

Memorandum to Mr. Belmont
RE: WARREN COMMISSION

Mr. Rankin mentioned that the Commission was also interested in any postal money orders that had been sent or received by either Ruby or Oswald. It is known that the Bureau has already developed a good deal of information concerning the non-existence of money orders in the Dallas, Texas, area and the Commission's request for money orders will be further clarified today.

With reference to the report prepared by the Bureau, copies of which were delivered to the various members of the Commission, Mr. Rankin indicated that he would like to obtain an additional twenty copies of this report along with the exhibits that were sent with the reports. Mr. Rankin was advised that Malley was not aware of the exact number of copies that were in existence, and Rankin immediately replied that if half this number of copies could be made available it would be very helpful. There are in existence and readily available at the present time twenty-one copies of the report and the exhibits.

ACTION:

If approved, ten copies of report previously furnished the members of the Commission as well as the exhibits will be made available to Mr. Rankin.

JPM *See* *63 (50 U.S.C. 403) per CIA*
ADDENDUM (AHB:hmm) 12/17/63: Supervisor Papich, through [REDACTED] picked up comments by Allen Dulles to the effect that Rankin is considering an investigative staff to conduct additional investigation. Also, the Commission will consider relations between various Federal agencies to see if there are defects and whether these should be corrected by legislation. Also, the Commission will be in business for a long time and will cover a broad field and may even talk to some of our Agents who conducted investigation of the assassination and Ruby cases.

Frankly, I think Rankin should be discouraged from having an investigative staff and that Mr. Malley should make it clear to him

Memorandum to Mr. Belmont
RE: WARREN COMMISSION

we stand ready to run out any additional investigative leads the Commission wants covered. In this light, it may be well to give Rankin only ten additional copies of the report at this time.



December 18, 1963

PLAIN TEXT

~~SECRET~~

DEFERRED

1-Orig.
1-Yellow
1-Belmont
1-Sullivan
1-Rosen
1-Rogge
1-Turner
1-Liaison
1-Cregar

TELETYPE

TO SAC, HOUSTON

FROM DIRECTOR, FBI

LEE HARVEY OSWALD, ASSASSINATION OF PRESIDENT KENNEDY.

(S) [REDACTED] WAS ADVISED BUREAU LIAISON
THAT [REDACTED]

(S) [REDACTED] MAY HAVE OVERHEARD SOME INFORMATION [REDACTED]
(S) [REDACTED] WHICH [REDACTED] FEELS WOULD BE
(S) [REDACTED] OF INTEREST TO THE FBI IN CAPTIONED MATTER. [REDACTED] (S)

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(S)
U.S.C.
403)
per
CIA

[REDACTED] (S) MIGHT HAVE
SHOULD BE PROMPTLY INTERVIEWED FOR ANY INFORMATION
AND RESULTS FURNISHED THE BUREAU IN FORM SUITABLE FOR DISSEMINATION
IN THE EVENT INFORMATION OF INTEREST TO OTHER GOVERNMENT AGENCIES.
(S) [REDACTED] HAS NO OBJECTION TO REFERRING [REDACTED] TO HER LETTER [REDACTED] (S)

NOTE: See cover memorandum Brennan to Sullivan, 12/18/63, same caption, prepared by WOC:mab.

U. S. DEPARTMENT OF JUSTICE
COMMUNICATIONS SECTION

DEC 18 1963

COPIES DESTROYED

TELETYPE

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED EXCEPT
WHERE SHOWN OTHERWISE

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Sullivan _____
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Holmes _____
Gandy _____

DEC 18 1972
WOC:MAB (9)

9 DEC 24 1963

MAIL ROOM ☐ TELETYPE UNIT ☐

Classified by SP6 [REDACTED] 46454
Declassify on: OADR 12/2/84
Per GJA letter 9/23/88

44-24016-78466

DEC 19 1963

1-102-112
REC'D REC'D

DEC 18 8 00 AM '63

SAC, Dallas (44-1639)

12/27/63

~~SECRET~~

Director, FBI (44-24016) — 863

REC-12

JACK L. RUBY, AKA.
LEE HARVEY OSWALD, AKA.
(DECEASED) - VICTIM
CIVIL RIGHTS

Classified by 2040
Exempt from GDS, Category 2
Date of Declassification Indefinite 7/16/81
Maintained per CIA 9/23/88
SP6- [redacted] 2/2/89
#6454
FB1/67C
b1, b3 (50 U.S.C. 403) per CIA

Set forth for your information below a copy of
a communication dated 12/16/63 which was furnished by
Bureau Confidential Informant [redacted] (S) b1, b3 (50 U.S.C. 403) per CIA

b1
b3
(50
U.S.C.
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per
CIA

MAILED 4
DEC 27 1963
COMM-FBI

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Conrad _____
DeLoach _____
Evans _____
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Rosen _____
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Tavel _____
Trotter _____
Tele. Room _____
Holmes _____
Gandy _____

1 - Mr. E. J. Papich (Room 845 RB)

JWH:pab

(5)

See page two for the note.

MAIL ROOM ☐ TELETYPE UNIT ☐

~~SECRET~~

Letter to SAC, Dallas
Re: JACK L. RUBY, AKA.

~~SECRET~~

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H03)

PER
CIA

[REDACTED] (S)

[REDACTED] (S)

[REDACTED] (S)

[REDACTED] (S)

[REDACTED] (S)

[REDACTED] S

~~SECRET~~

b1/b3
per CIA
9/8/92

b3
(50 U.S.C.
403)
per CIA

Handwritten signature/initials

②
SUBJECT: Jack RUBY

Handwritten mark

[REDACTED]

(S)

[REDACTED]

(S)

[REDACTED]

(S)

[REDACTED]

(S)

Handwritten mark

[REDACTED]

FOI/PA #	6434
APPEAL #	
CIVILACT. #	
E.O. #	12356
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Rec CIA letter 9/23/88.
All INTO CLASS (S) will remain
CLASS PER CIA ON 5-8-92

9803
RDB/KS
5-15-9

[REDACTED]

REC-12

44-210-100

(S)
DEC 30 1963

[REDACTED]

b3(50 U.S.C. 403)
per CIA

[REDACTED]

[REDACTED]

Handwritten signature/initials

Handwritten notes:
id
see cert
attest that
the CIA
has the following
information
concerning
CIA

XXXXXX
XXXXXX
XXXXXXFEDERAL BUREAU OF INVESTIGATION
FOIPA DELETED PAGE INFORMATION SHEET

1 Page(s) withheld entirely at this location in the file. One or more of the following statements, where indicated, explain this deletion.

- ☒ Deletions were made pursuant to the exemptions indicated below with no segregable material available for release to you.

Section 552Section 552a☒ (b)(1) per CIA☐ (b)(7)(A)☐ (d)(5)☐ (b)(2)☐ (b)(7)(B)☐ (j)(2)☒ (b)(3) per CIA☐ (b)(7)(C)☐ (k)(1)50 U.S.C. 403☐ (b)(7)(D)☐ (k)(2)☐ (b)(7)(E)☐ (k)(3)☐ (b)(7)(F)☐ (k)(4)☐ (b)(4)☐ (b)(8)☐ (k)(5)☐ (b)(5)☐ (b)(9)☐ (k)(6)☐ (b)(6)☐ (k)(7)

- ☐ Information pertained only to a third party with no reference to you or the subject of your request.
- ☐ Information pertained only to a third party. Your name is listed in the title only.
- ☐ Documents originated with another Government agency(ies). These documents were referred to that agency(ies) for review and direct response to you.

Pages contain information furnished by another Government agency(ies). You will be advised by the FBI as to the releasability of this information following our consultation with the other agency(ies).

Page(s) withheld for the following reason(s): _____

- ☐ For your information: _____

- ☒ The following number is to be used for reference regarding these pages:

44-24016-863 in p. 2

XXXXXX
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 X NO DUPLICATION FEE X
 X FOR THIS PAGE X
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**C.I.A.
RELEASE**

DECLASSIFIED BY SP6 [redacted]
ON 2/2/89 #6456
Per CIA letter 9/23/88.

b7c/FBI

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F190
F4

TO DIRECTOR, HOUSE ATTORNEY: MR. ROBERT G. BUNDY
FROM: DIRECTOR, STATE ATTORNEY: MR. J. A. WHITE
SUBJECT: MURDER OF INVESTIGATION

Jack Ruby *Ch*

85657

British Journalist John X Wilson
aka John X Wilson - Hudson
AND ALIAS KNOWN AS JOHN WILSON-HUDSON, GAVE INFORMATION TO THE
AMERICAN EMBASSY IN LONDON WHICH INDICATED THAT AN "AMERICAN"
NAMED "BOB HANDED BUNDY" VISITED CUBA AROUND 1953. WILSON
WAS WORKING IN CUBA AT THE TIME HE WAS JAILED BY
CASTRO WHEN HE WAS DEPORTED.

*Eng
Cuba*

44-24016-760

EX-111
NOT RECORDED
14 JAN 16 1964

IN CUBA WILSON GAVE US MET AN AMERICAN GANGSTER
Gambler Santos Cuba U.S. AMERICAN GANGSTER
WHO COULD NOT RETURN TO THE U.S.A. BECAUSE
OF SEVERAL INDICTMENTS OUTSTANDING AGAINST HIM.

76
74 JAN 22 1964 w1

BEST COPY

SWIFT

C.I.A. RELEASE

WHILE CASTRO WAS IN PRISON, WILSON SAYS, CASTRO WAS VISITED
FREQUENTLY BY AN AMERICAN GANGSTER TYPE NAMED RUBY. HIS STORY IS
BEING FOLLOWED UP. WILSON SAYS HE HAD ONCE TESTIFIED ABOUT CASTRO
ACTIVITIES BEFORE THE EASTLAND COMMITTEE OF THE U.S. SENATE,
SOMETIME IN 1950-1952.

b3
(50 U.S.C.
403)
per CIA

[REDACTED] CIA advised
SA Papich 1/14/63 that CIA has
no additional information re this
matter.

CENTRAL INTELLIGENCE AGENCY
WASHINGTON 25, D.C.

30 JAN 1964

MEMORANDUM FOR: Director
Federal Bureau of Investigation
Attention: Mr. S. J. Papich

SUBJECT: Jack L. RUBY
Lee Harvey OSWALD - Victim
Civil Rights

1. Reference is made to your memorandum of 7 January 1964, subject as above, concerning a report of a visit to Cuba in early 1963 made by Jack L. RUBY, assassin of Lee Harvey OSWALD. This Agency has received a similar report from a source to the effect that RUBY was in Havana in late 1962 or in early 1963. According to this unconfirmed report RUBY was "a friend and customer of a (Cuban) citizen named PRASKIN, owner and manager of a novelty shop for tourists located (in Havana) between Animas and Trocadero, Paseo del Prado, in front of the Hotel Sevilla." Our source stated that the following individual could verify the above information:

Evidio Bernardo PEREIRA Acosta
DPOB: 12 March 1927, Gral, Carrilo, Las Villas, Cuba
Member of Brigade 2506

Our latest information concerning the whereabouts of PEREIRA Acosta indicates his address as of September 1963 was:

821 SW 2nd Street,
Miami, Florida

2. We suggest that your Bureau may prefer to interview PEREIRA Acosta. Our files contain no information on anyone identifiable with PRASKIN. We would appreciate receiving the results of your interview of PEREIRA Acosta. Your Bureau will be advised in the event we receive further information relating to this matter.

FOR THE DEPUTY DIRECTOR FOR PLANS:

FOI/PA # 6434
REF ID: A6356
CIVIL ACT. # 12356
E.O. # 12356
DATE 1-2-81 INITIALS md
Per CIA letter 9/23/88

EX-115
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(50 U.S.C.
403)
PWR
CIA

REC 29

44-24016-10117

22 FEB 4 1964

Airtel to SACs, DLAM
2-3-64
TWR/ma
ICE DLAM
ICE CAU

2/3/64

Secret

2/7/77

Airtel

Classified by 2040
Exempt from GDS, Cat. II
Date of Declassification Indefinite
Class Maintained for CIA until 9/23/88
SP6 [redacted] 2/2/89, 46454
104767C/FBI

yjt
To: SACs, Dallas (44-1639)
Miami (44-1412)
From: Director, FBI (44-24016)

REC 29

JACK L. RUBY, AKA.
LEE HARVEY OSWALD, AKA. - VICTIM
CIVIL RIGHTS

APPROPRIATE AGENCIES
AND FIELD OFFICES
ADVISED BY ROUTING
SLIP(S) OF *Classification*
DATE 8-22-77 B92

Re LAirtel to Bureau 12/31/63 with copies to Miami.

Enclosed herewith for Dallas and Miami is one copy for each of a memorandum from the Central Intelligence Agency dated 1/30/64. Miami will immediately upon receipt interview Evidio Bernardo Pereira Acosta for full details of any information he may have regarding the unconfirmed report that Ruby was in Cuba in late 1962 or early 1963. (S)(u)

Submit results by letterhead memorandum suitable for dissemination to the CIA. Also submit results to Dallas by FD-302 for inclusion in a subsequent report. Any leads developed through the interview of Pereira should be promptly set forth and immediately covered and results submitted to Dallas by FD-302 in a similar manner. (S)(u)

Enclosure

MAILED 10
FEB - 3 1964
COMM-FBI

JWH/ras
(6)

NOTE: Miami on 12/21/63 received information that one Rose Antonio Juan had received a letter from his son living in Cuba wherein it was alleged that Ruby had visited a Mr. Pranski in Havana in late 1962 or early 1963.

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- Tolson _____
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9/23
SK
FEB 3 1964

Secret

MAIL ROOM ☐ TELETYPE UNIT ☐

FBI

Date: 2/5/64

Transmit the following in _____

(Type in plain text or code)

Via _____

AIRTEL

AIR MAIL

(Priority or Method of Mailing)

TO: DIRECTOR, FBI (44-24016)

FROM: SAC, DALLAS (44-1639) P

RE: JACK L. RUBY, aka;
LEE HARVEY OSWALD, aka - VICTIM
CR
(OO DL)

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED #6454
DATE 2/2/89 BY SP6 [redacted]

Per CIA letter 9/23/88
b7c/FBI

Re Miami airtel to Dallas 12/26/63; Dallas airtel to Bureau and Miami 12/31/63; Bureau airtel to Dallas and Miami 2/3/64.

RE: ALLEGED TRAVEL OF RUBY TO CUBA

Flow Referenced Miami airtel *ELC* transmitted a copy of a letter furnished by CARLOS VILLA, Miami, which had been given to VILLA by JOSE ANTONIO JUAN, who had in turn allegedly received the letter from his son living in Cuba. A portion of the letter stated that "RUBENSTEIN," apparently referring to subject, was in Cuba "a little less than a year ago visiting a Mr. PRANSKI, owner of a shop dealing in tourist articles located on Prado Street between Animas and Trocadero, opposite the Sevilla-Biltmore."

A copy of the letter in question was furnished to Bureau by Dallas airtel 12/31/63.

C.C. Wick Bureau airtel 2/3/64 enclosed for Dallas and Miami a copy of a memorandum from CIA dated 1/30/64 which refers to Bureau memorandum of 1/7/64. CIA stated that they had received a similar

3 Bureau (Enc. 1) ENCLOSURE

1 Miami
2 Dallas
MCC:LAC
(6)

REC-24 44-24016-1073

FEB 7 1964

EX-111

SDA
WJH 2/11/64
JWH RAS

Approved: 79 FEB 12 1964
Special Agent in Charge

Sent _____ M Per _____

ice legal advice
Let JWH/ma
2-11-64 ice liaison

DL 44-1639

Report from a source to the effect RUBY was in Havana in late 1962 or in early 1963. The CIA report continued that according to unconfirmed report RUBY was a "friend and customer of a (Cuban) citizen named PRASKIN owner and manager of a novelty shop for tourists (located in Havana) between Animas and Trocadero, Paseo del Prado, in front of the Hotel Sevilla." CIA furnished the name of an individual who could allegedly verify the above information. *Cuba*

District Attorney HENRY WADE, Dallas County, has furnished clippings of an article said to have appeared in the Wednesday, January 29, 1964, issue of "The Miami News," page 4-A, which is quoted as follows:

"RUBY VISITED CUBA--EXILES

"By MARY LOUISE WILKINSON
Reporter of the Miami News

"JACK RUBY, killer of President KENNEDY's accused assassin, has visited CASTRO's Cuba, an exile student group charged here today.

"RUBY flew from Mexico City to Havana the latter part of December 1962 on a Mexicana de Aviacion flight, said a spokesman for the Cuban Student Directory (DRE).

"The DRE is the organization which first brought to light the Marxist-Leninist leanings of accused presidential slayer LEE HARVEY OSWALD, who debated with DRE members on New Orleans radio last August.

The students said they first learned of RUBY's Havana visit several weeks ago but delayed making any statement until a complete check had been made with their forces on the island.

"According to underground communications, RUBY stayed in Havana until early January 1963, frequenting a tourist store owned by a man named SOLOMON PRATKINS.

"The store was located on El Prado, across the street from the Sevilla Biltmore Hotel.

*Havana
Cuba*

"In the preliminary hearing over a week ago in Dallas, Dr. WALTER BROMBERG, psychiatrist appointed for RUBY, stated RUBY said he had been to Cuba in September 1959.

"BROMBERG, under questioning from district attorney HENRY WADE, said RUBY apparently wanted to sell unidentified merchandise to CASTRO.

"According to the psychiatrist who has been the main defense witness, RUBY stayed in Cuba about 10 days."

Reference is made to the report of SA JAMES J. O'CONNOR dated 1/25/64, Miami, entitled "LEE HARVEY OSWALD, aka; IS-R," (Bufile 62-82555, Miami 105-8342) which sets forth information which appeared in certain newspapers to the effect that DRE (Students Revolutionary Directorate) had represented that OSWALD had been in Miami. Interviews with representatives of DRE resulted in complete denials that these individuals had circulated the information pertaining to OSWALD. It will be observed that the writer of the article quoted above names a spokesman for DRE as the source of the information alleging travel of RUBY from Mexico City to Havana.

DL 44-1639

In interview with Agents, 12/21/63, RUBY denied that he had ever been in Mexico (except for a brief trip across the border at Juarez many years ago while en route to California) and denied travel to Cuba except in 1959, the details of which he supplied. His travel to Cuba in 1959 was confirmed by other sources, including records.

On page 38, report of SA MANNING C. CLEMENTS, dated 12/31/63, Dallas, interview with ALFRED L. DREYFUS by Agents of the New York Office on 12/16/63 is set forth. DREYFUS stated he went to Dallas on a business trip from 12/18 to 21/62, went to the Carousel Club on two nights, probably 12/18 and 19, and that he saw and talked to RUBY.

On page 325, report of SA MANNING C. CLEMENTS, 12/14/63, interview with ROBERT MC EWAN by Agents of the Louisville Office on 11/3/63 is set forth. MC EWAN stated he appeared as an entertainer at the Carousel Club during the period from one week before Christmas 1962 and including two weeks in January 1963, that he became acquainted with RUBY and saw him on a daily basis.

It would appear from the information in the letter transmitted to Bureau by Dallas airtel 12/31/63 and from the report of CIA, mentioned above, that there is a common source of information regarding RUBY's alleged travel to Cuba and contacts with FRANSKI or FRASKIN.

Reference is made to the latter portion of the clipping from the "Miami News" concerning the testimony of Dr. WALTER BROMBERG (bond hearing 1/20/64). Special Agents of Dallas Office, under subpoena on the same date, heard the testimony of Dr. BROMBERG. He was asked by the District Attorney, in cross-examination, if RUBY had not told him of having traveled to Cuba in 1959. In the same question, and before BROMBERG's response, the D.A. asked also if RUBY had not also told him of contacts regarding possible sale of merchandise to CASTRO. It

DL 44-1639

was the feeling of Agents that this was a "loaded question" intended by the prosecution to obtain an affirmative answer, which was given. It was the feeling of Agents that Dr. BROMBERG was undoubtedly confused by the question and inadvertently his affirmative response would have inferred to the uninformed listener that RUBY's trip to Cuba in 1959 was in fact in connection with attempts to sell merchandise to CASTRO. In actuality, according to RUBY, confirmed by L. J. MC WILLIE whom RUBY visited in Havana, the 1959 trip was purely a vacation trip. During interview 12/21/63, RUBY told Agents of this trip. Cuba

Later in the interview, RUBY volunteered that he had some years ago, "at a time when CASTRO was popular in the United States," attempted to contact an individual in the vicinity of Houston, Texas, whose name had come to his attention in connection with "gun running to CASTRO." He stated he had in mind at the time "possibly making a buck" by possibly acquiring Jeeps or other equipment which he might sell to persons interested in exportation of such items to Cuba. RUBY's relation of circumstances of his visit to Cuba in 1959 and the other matter were not related.

Investigation by the Houston Office, not yet furnished to Bureau in report form, has developed information that ROBERT RAY MC KEOWN, now residing at Bay Cliff, Texas, was apparently the individual whom RUBY contacted and to whom RUBY referred in interview with Agents. MC KEOWN advised in interview 1/24/64 he had been personally acquainted with CASTRO. He was sentenced on 10/24/58 in U. S. District Court, Houston, Texas, in connection with conspiracy to smuggle guns and related equipment to Cuba for CASTRO. He said CASTRO took over leadership on or about 1/1/58 and that about a week later he received a call from a person who said his name was "RUBENSTEIN," calling from Dallas. This individual stated he wanted to get three persons out of Cuba who were being held by CASTRO.

MC KEOWN negotiated with the individual but heard nothing further about it. Some three weeks later an individual

DL 44-1639

personally contacted MC KEOWN, whose name he did not obtain. This individual talked with MC KEOWN relative to possible sale of a number of Jeeps and wanted a letter of introduction to CASTRO. The unidentified person was supposed to provide money, which he did not have at the time, but never returned. MC KEOWN has said photographs of RUBY resembled the person who contacted him, and he feels strongly this person was RUBY.

UAUB, it is suggested Miami Office contact MARY LOUISE WILKINSON, author of the article in "The Miami News," and request she reveal her sources re RUBY's travel to Cuba as alleged. It is further suggested representative of DRE be contacted by Miami to determine whether this organization is in fact the source of the allegation. *rk*

The Bureau's attention is directed to allegation RUBY traveled by air from Mexico City to Havana in the latter part of 1962. If Bureau deems it advisable, Legat, Mexico City, might prove or disprove the allegation [REDACTED]

[REDACTED] under the names JACK L. RUBY, JACK LEON RUBY, JACK RUBENSTEIN and JACOB RUBENSTEIN.

A copy of the FD-302, interview with ROBERT RAY MC KEOWN, is enclosed for the Bureau.

b7D
FBI

1

January 28, 1964

ROBERT RAY MC KEOWN, born January 28, 1913,
residence Bay Cliff, Texas, unlisted telephone number Bay
Cliff 9661492, upon interview at the Houston Division of the
 FBI furnished the following information:

He is presently employed as a salesman for the
 Houston Slush Pump Company, 2112 Quitman Street, Houston, and
 he formerly resided with his sister, MRS. FRANK DENNY, 9138
Wayfarer Street, Houston. His wife makes her residence in Texas
Miami, Florida. On February 25, 1958, he was arrested and
 charged with conspiracy to smuggle guns and related equipment
 to Cuba for the benefit and use of FIDEL CASTRO and his
 forces. On October 24, 1958, in the United States District
 Court, Southern District of Texas, Houston, Texas, he was
 sentenced for these activities to 60 days to serve and fined
 \$500 on one count, and was given a two year sentence suspended
 for five years on good behavior on a second count. The
 period of his probation expired December 11, 1963. At the
 time of his arrest, conviction and sentencing, considerable
 publicity concerning him and his activities appeared in the
 press. His photograph appeared in the newspapers on a number
 of occasions. He knows FIDEL CASTRO personally, and when Cuba
CASTRO visited Houston, Texas, briefly in April, 1959, Texas
MC KEOWN went to the Houston Airport, visited with CASTRO,
 and had his photograph taken with CASTRO. This photograph
 was widely publicized. CASTRO tried to persuade him to
 stay on the airplane and proceed to Cuba with him (CASTRO).
 However, because he was then on probation, he told CASTRO
 it would not be possible. CASTRO was somewhat irritated at
 this, and suggested that MC KEOWN disregard the probation and
 go anyway. CASTRO stated he would give MC KEOWN a Government
 position in Cuba or perhaps he might give him some franchises
 or concessions there. MC KEOWN responded that he fully intended
 to comply with his probation to the letter, and stated he
 would come to Cuba when he could do so in a completely legal
 manner.

During 1958, while MC KEOWN was out on bond and
 prior to his sentencing, he and a MR. JARRETT entered a
 partnership and opened up the J and M Drive-In on Red Bluff
 Road near Taylor Lake and Clear Lake, in the vicinity of

ALL INFORMATION CONTAINED

HEREIN IS UNCLASSIFIED #6754 b7C/FBI

DATE 2/2/89 BY SP6 [REDACTED]

DATE 9/23/88 BY [REDACTED]

On 1/24/64 at Houston, Texas File # 44-939

by SA DANIEL W. FULTS, JR. : mem 44-24416-1/28/64
 Date dictated 1/28/64

This document contains neither recommendations nor conclusions of the FBI. It is the property of the FBI and is loaned to your agency; it and its contents are not to be distributed outside your agency.

ENCLOSURE

HO 44-939

Kemah and Seabrook, Texas. MC KEOWN obtained his share of the funds for this venture by borrowing from CARLOS PRIO SOCARRAS, former President of Cuba with whom he had a close friendship. About two years ago, MR. JARRETT died, and the business was sold.

Cuba
Fla

FIDEL CASTRO took over the leadership of Cuba on about January 1, 1959, following the revolution which he had led. About one week after that, while he was on duty at the J and M Drive-In, Harris County, Texas, Deputy Sheriff ANTHONY "BOOTS" AYO appeared and said that some person had been frantically calling the Harris County Sheriff's Office in an effort to locate MC KEOWN. The name of the caller was not known to AYO, but he was calling from Dallas, Texas, and on the last call had said it was a life and death matter. MC KEOWN advised AYO to provide the caller with the telephone number of the J and M Drive-In. In about one hour's time, (8:00 p.m. or 8:30 p.m.) a person called MC KEOWN on the telephone and said his name was "Rubenstein". The caller said he was calling from Dallas, Texas, and indicated he was aware that MC KEOWN had influence in Cuba and particularly with CASTRO. The caller stated he wanted to get three individuals out of Cuba who were being held by CASTRO. He stated that if MC KEOWN could achieve their release he would be paid \$5,000 for each person. The caller added that a person in Las Vegas, Nevada, would put up the money. MC KEOWN replied that he most certainly was interested in making some money, and assured the caller he could obtain the release of any person being detained by CASTRO; however, MC KEOWN specifically advised the caller he would do nothing toward this end until he was paid \$5,000.00 in cash at the outset. The caller stated he would clear this with the man in Las Vegas, and would later recontact MC KEOWN. Nothing further was ever heard from this individual by MC KEOWN.

About three weeks following this telephone call, a man personally appeared at the J and M Drive-In and spoke with MC KEOWN. This person did not identify himself to MC KEOWN, nor did MC KEOWN ask his name. The man said he had a proposition whereby MC KEOWN could make \$25,000. When he indicated genuine interest in the man's proposition, they went to the rear of the Drive-In where patrons sit to

drink beer and where they could talk more privately. The man stated he had an option on a great number of jeeps which were in Shreveport, Louisiana, and he desired to sell them to CASTRO at a very profitable figure. He wanted MC KEOWN to provide him with a letter of introduction to CASTRO, which letter would clearly indicate that the bearer was responsible and reliable. MC KEOWN said he would gladly provide such a letter of introduction for a fee of \$25,000, but before he undertook to do anything he would have to have in hand at least \$5,000.00 in cash. The man indicated he wanted the letter right away, whereupon MC KEOWN asked if he had the necessary \$5,000 in his pocket. The man said that he did not, but that he would go and get the money and return. According to MC KEOWN, the man never returned nor did he ever again see him.

MC KEOWN stated that from the numerous photographs he has seen in the press and in magazines of JACK RUBY, the man with whom he talked concerning the letter of introduction to CASTRO resembles RUBY. The man gave the impression of being or trying to be a "big shot", and his manner and attitude was rather haughty. While his recollection of this man is somewhat hazy at this time, he vividly recalls the man had a small patch on his nose. MC KEOWN recalled he had asked the fellow what the patch was for, and he was advised that he had attempted to take out a blackhead and a small infection developed. To the best of his recollection, this man was probably 45 to 50 years of age, 5' 8" to 5' 10" in height, 200 pounds, stocky build, well dressed. He recalled the man had a tie clasp which matched his cuff links. He had no idea how the fellow traveled to the J and M Drive-In, and he never ascertained the man's name. MC KEOWN advised that he feels strongly that this individual was in fact JACK RUBY, the man whose photograph he has seen many times recently in the press.

MC KEOWN commented that because of the publicity accorded him in connection with his gun smuggling activities, he was literally besieged with requests for favors, requests for interceding with CASTRO, et cetera, following CASTRO's successful effort in Cuba. He stated his inability to leave the United States during his probationary period prevented him from fulfilling some of these requests which would have provided fabulous fees.

4

HO 44-939

He remarked he is not certain that the above-described telephone caller from Dallas or the man who personally appeared at the J and M Drive-In was identical with the JACK RUBY who killed LEE HARVEY OSWALD. To his knowledge, he has never seen or met LEE HARVEY OSWALD.

MC KEOWN stated that he knew of no one by the name of "Davis" who was convicted for gun running activity with Cuba.

UNITED STATES GOVERNMENT

Memorandum

TO : Mr. Belmont

Secret

DATE: 2/11/64

FROM : A. Rosen

Classified by 2040 7/14/77
Exempt from GDS, Category II
Date of Declassification IndefiniteSUBJECT: JACK L. RUBY, AKA.
LEE HARVEY OSWALD, AKA. - VICTIM
CIVIL RIGHTS

Tolson	✓
Belmont	✓
Mohr	✓
Casper	✓
Callahan	✓
Conrad	✓
DeLoach	✓
Evans	✓
Gale	✓
Rosen	✓
Sullivan	✓
Tavel	✓
Trotter	✓
Tele. Room	✓
Holmes	✓
Gandy	✓

A United Press International release of 2/11/64 quoted Ruby's defense lawyers as stating that the FBI had fully checked out Ruby's travels but found that he had not left the country since 1959, when he admittedly visited Havana. A Cuban exile in New Orleans said he had received word from an anti-Castro agent that Ruby had visited communist Cuba last year. The Director asked, "What are the facts?"

Ruby, upon interview by Agents on 12/21/63 in the presence of his attorneys, flatly denied that he had ever traveled to Cuba except on one occasion in 1959. His alleged travel to Cuba in 1959 has been confirmed through extensive investigation and check of appropriate records.

The statement that Ruby visited communist Cuba last year as attributed to a Cuban exile in New Orleans refers to one Carlos Bringuier, a delegate of the Student Revolutionary Directorate (DRE) in New Orleans, who advised on 2/5/64 that the DRE in Miami had information that Ruby visited Cuba in late 1962 and early 1963. The DRE is an anti-Castro organization with headquarters in the Miami, Florida, area and appears to be the source of this allegation which was originally received by the Miami Office on 12/21/63.

1 - Mr. DeLoach
1 - Mr. Sullivan

JWH/ras
(8)

ALL INFORMATION CONTAINED

HEREIN IS UNCLASSIFIED

DATE 11/14/77 BY 2040

61 FEB 24 1964

REC 36

44-24016

Classification
Data is updated
per CIA letter 4-7-83
4-20-83

Classified by D.D.
Declassify on: NADR

Memorandum to Mr. Belmont
RE: JACK L. RUBY, AKA.

~~Secret~~

U
Miami has conducted extensive inquiry through sources of that office within the DRE to pin down this allegation. One (Jose Antonio Lanusa) of the DRE in Miami, Florida, advised on 1/23/64 that the rumor that Ruby was in Cuba comes from a handbill circulated by the Anti-Communist Revolutionary Action Group which is an anti-Castro clandestine group operating within Cuba.

U
Although this rumor alleges that Ruby was in Cuba in late 1962 and early 1963, no positive information has been developed which would establish Ruby's presence there. On the other hand, interviews with persons who worked with Ruby and were acquainted with Ruby positively establishes his presence in Dallas from middle December, 1962, through mid January, 1963.

ACTION:

U
Miami has been instructed to interview officials of the DRE and any sources available to that office within the DRE in order to track down the allegation that Ruby was in Cuba in late 1962 and early 1963 in order that it can be clearly established whether or not the allegation is true or false.

Handwritten signatures and initials:
JLW
OK
K
W. H.
JRM
Jo
Q
D.H.

~~Secret~~

1 - Branigan
1 - Lenihan
1 - Nasca
1 - Anderson

2/26/64

~~Secret~~

Airtel

44-24016 -

Classified by 2040
Exempt from GDS, Category II
Date of Declassification Indefinite
Current Classification Per CIA letter
7/23/88. SP6 Bja/mk 2/2/89.
#6454.

To: SAC, New York (Enclosure)
2 - Miami (Enclosure)
2 - Memphis (Enclosures - 2)

From: Director, FBI (105-82555)

LEE HARVEY OSWALD
IS - R - CUBA

Jack Ruby

Enclosed for each recipient is one copy of an undated Central Intelligence Agency (CIA) memorandum classified "Secret," captioned [redacted] John Martino. This memorandum is self-explanatory and was furnished on 2/24/64 at which time CIA advised that the confidential and reliable source of that Agency mentioned on page 1, paragraph 1, is [redacted] CIA indicated it has no objection [redacted] furnished this Bureau the results of information [redacted] as set forth in the enclosed memorandum.

[redacted] contained data regarding John Martino [redacted] similar to that furnished by CIA; however, data in CIA memorandum under headings Lee Harvey Oswald, Jack Ruby and General apparently was not furnished to the New York Office [redacted] instructed to immediately [redacted] concern [redacted] the Oswald matter. Specifically ascertain basis for all statements made [redacted] and set forth any additional leads necessary by airtel to resolve allegations.

Tolson
Belmont
Mohr
Casper
Callahan
Conrad
DeLoach
Evans
Gale
Rosen
Sullivan
Tavel
Trotter
Tele. Room
Holmes

1 - ENCLOSURE
64-44828 (Martino)

LLA:pah
(12)

ENCLOSURE

Memo Branigan to
Sullivan 2-27-64 re Lee
LLA:hc
Harvey
Oswald.

MAILED 4
FEB 26 1964
COMM-FBI

(SEE NOTE PAGE TWO)

b1 b3 (50 U.S.C.)
(403) per CIA

ORIGINAL FILED IN 100-2464

Airtel to New York
RE: LEE HARVEY OSWALD
105-82555

~~Secret~~

For the information of New York John Martino, referred to in enclosed memorandum is apparently identical to John Vincent Martino, an electronics manufacturer in Miami who was imprisoned by Fidel Castro in Cuba from 7/59 to 10/62. Martino has previously been interviewed by Miami at which time he pretended greater knowledge of Cuban affairs than he actually possessed. He also indicated previous statements made concerning captioned subject was based on information received from unidentified Cuban aliens and he had no firsthand knowledge or information concerning subject. The unnamed individual in Miami referred to on page 2 of CIA memorandum could possibly be Martino. This should be definitely pinned down. U


By airtel 2/11/64 Memphis and Miami were instructed to conduct additional investigation and surep concerning statements reportedly made by Martino which appeared in "Press-Scimitar" newspaper in Memphis entitled "Oswald Was Paid Gunman for Castro, Visitor Says." This article stated in part we know that subject was in Mexico. We know that he left from a clandestine airport in Yucatan for Cuba and was there the week of October 4, year not indicated. U

Memphis and Miami advise by return airtel status of above. U

Handle above leads immediately and submit results in letterhead memorandum form suitable for dissemination. U

NOTE:

CIA memorandum furnished SA Greer via liaison channels. Memo indicates that according



b1
b3
150
U.S.C.
403)
P22
CIA

John Martino

Rec'd for CIA 2/24/68

A confidential and reliable source of this office [redacted] Source's observations and comments on Subjects apropos [redacted] are briefed in this memorandum.

John Martino

Mr. and Mrs. Martino [redacted]

b1
b3
(50
U.S.C.
403)
per
CIA

CIA advised
CIA has no objection to [redacted]
that CIA [redacted]
in the results of [redacted]
with [redacted]

~~SECRET~~

*5-AK [redacted]
Re O'Scard
Mullins
Re Martino
Nasca*

b1
b3
(50
U.S.C.
403)
per
CIA
b7D
FBI

FOI/PA #	10454
APPEAL #	
CIVIL ACT. #	
E.O. #	12356
DATE	1-2-89
INITIALS	[redacted]

Per CIA letter 9/23/88

44-24016-

ENCLOSURE

ENCLOSURE

~~SECRET~~

b1
b3
50 USC
403
P
PCIA

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

General

[REDACTED]

[REDACTED]

UNITED STATES GOVERNMENT

Memorandum

~~Secret~~

1 - Mr. Belmont
1 - Mr. Mohr
1 - Mr. DeLoach

TO : Mr. W. C. Sullivan

DATE: February 27, 1964

FROM : Mr. W. A. Branigan

1 - Mr. Rosen
1 - Mr. Sullivan
1 - Mr. Malley
1 - Mr. Branigan
1 - R. E. Lenihan
1 - V. H. Nasca
1 - L. L. Anderson

SUBJECT: LEE HARVEY OSWALD
IS - R - CUBA

Classified by 2040
Exempt from GDS, Category II
Date of Declassification Indefinite

Central Intelligence Agency (CIA) has furnished a memorandum through Liaison channels indicating that according to a confidential and reliable source whose sources are unknown,

[REDACTED]

data is [REDACTED] known to the Bureau
and CIA has no objection to this Bureau's contacting [REDACTED]
that the information furnished [REDACTED] had been furnished to [REDACTED]
the FBI. (U) b1 b3 (50 U.S.C. 403) per CIA

105-82555-2464

[REDACTED]

(S) b1 b3 (50 U.S.C. 403) per CIA

John Martino is apparently identical to John Vincent Martino, an electronics manufacturer in Miami who was imprisoned by Fidel Castro in Cuba from 7/59 to 10/62. Martino has previously been interviewed by Miami, at which time he pretended greater knowledge of Cuban affairs than he actually possessed. He also indicated previous statements made concerning Lee Harvey Oswald were based on information received

LLA:hc
(11) *hc*
105-82555

44-24016-
NOT RECORDED
199 MAR 12 1964

~~Secret~~

SOVIET SECTION

Memorandum Branigan to Sullivan
Re: LEE HARVEY OSWALD
105-82555

~~Secret~~

from unidentified Cuban aliens and he had no firsthand knowledge or information concerning Oswald. The unnamed individual in Miami referred [redacted] in CIA memorandum could possibly be Martino. (S) (U)

(S) b1, b3 (50 U.S.C. 403) per CIA
Memphis and Miami offices are presently conducting additional investigation concerning Martino based on statements reportedly made by him which appeared in "Press - Scimitar" newspaper in Memphis entitled, "Oswald Was Paid Gunman for Castro, Visitor Says." This article stated in part we know that Lee Harvey Oswald was in Mexico and that he left from a clandestine airport in Yucatan for Cuba and was there for the week of October 4, year not indicated U

By airtel 2-26-64, New York was instructed to immediately reinterview [redacted] concerning the Oswald matter specifically ascertain basis for all statements [redacted] and immediately set forth additional leads necessary to definitely pin down these allegations. Memphis and Miami were also instructed to immediately advise status of investigation concerning Martino. You will be kept appropriately advised of pertinent developments in this matter. (S) (S)

(S) b1, b3 (50 U.S.C. 403) per CIA

ACTION:

For information.

~~Secret~~

March 6, 1964

CODE

TELETYPE

URGENT

1 - Mr. Branigan
1 - Mr. Lenihan
1 - Mr. Nasca
1 - Mr. Anderson

Secret

TO SACS NEW YORK
MIAMI (105-8342)

FROM DIRECTOR FBI (105-82555)

LEE HARVEY OSWALD, IS - R - CUBA.

REBUAIRTEL FEBRUARY TWENTY-SIX LAST INSTRUCTING NY

IF NOT ALREADY HANDLED DO SO IMMEDIATELY AND SUTEL RESULTS
BY MARCH NINE FOLLOWED BY LHM IN ACCORDANCE WITH PREVIOUS

INSTRUCTIONS SO THAT PRESIDENT'S COMMISSION MAY BE APPROPRIATELY
ADVISED. (S) *Current Classification Mandated Per CIA
date 9/23/88. SP6 - 4/2/89 #6454
b7c(18)*

IMMEDIATELY FURNISH COPY OF URLET AND LHM FEBRUARY
TWENTY-SIX LAST TO NY AND ME IN VIEW OF INTEREST BY THESE OFFICES
IN JOHN MARTINO. ALSO FURNISH COPY TO CI, WHICH OFFICE COVERS
RIO GRANDE, OHIO, IN VIEW OF MARTINO'S SCHEDULED SPEAKING
ENGAGEMENT IN THAT CITY. KEEP BU AND INTERESTED OFFICES
ADVISED OF ANY ADDITIONAL PERTINENT INFORMATION RECEIVED RE
STATEMENTS MADE BY MARTINO IN CONNECTION CAPTIONED MATTER.

RECIPIENTS BEAR IN MIND THAT PRESIDENT'S COMMISSION HAS
EXPRESSED INTEREST IN RECEIVING ALL HOAX-TYPE COMPLAINTS IN

CAPTIONED MATTER. COPY MAILED ME AND CI AND DI

Tolson _____
Belmont _____
Mohr _____
Casper _____
Callahan _____
Conrad _____
DeLoach _____
Evans _____
Gale _____
Rosen _____
Sullivan _____
Tavel _____
Trotter _____
Tele. Room _____
Holmes _____
Gandy _____

LLA:ccm

MAR 11 1964

MAIL ROOM ☐ TELETYPE UNIT ☐

VIA TELETYPE

MAR 6 1964

5:13 PM JR
ENCIPHERED

NOTE PAGE TWO

Classified from
Exempt from
Date of 19 MAR 9 1964
NOT RECORDED
199 MAR 10 1964

Secret

2350

IN USE

Teletype to SACS New York
Miami
RE: LEE HARVEY OSWALD
105-82555

~~Secret~~

NOTE:

b1
CIA

He has been previously interviewed by Miami at which time he pretended greater knowledge of Cuban affairs than he actually possessed and has declined to divulge his sources. We are trying to pin down this allegation.

~~Secret~~

NR. 061924
ENC. *MTS*
CK. *01*
APPROVED *[Signature]*
TYPED BY *[Signature]*

UNITED STATES GOVERNMENT

Memorandum

TO : Director, FBI (44-24016)

DATE: 3/6/64

FROM : Legat, Mexico City (44-5) (RUC)

SUBJECT: JACK L. RUBY, aka
LEE HARVEY OSWALD, aka - VICTIM
CIVIL RIGHTS

ENCLOSURES

Enclosed are eight copies of a letterhead memorandum, dated and captioned as above.

REFERENCE

Bureau routing slip dated 2/11/64.

ADMINISTRATIVE

No information could be located in the indices of Legat, Mexico, identifiable with RUBY which has not already been furnished to the Bureau.

CIA, Mexico by SECRET memorandum dated 2/27/64 furnished the following information. This memorandum contained the statement: "THIS INFORMATION IS FROM A CONFIDENTIAL SOURCE. IT MUST NOT BE DISSEMINATED IN WHOLE OR IN PART OUTSIDE YOUR OFFICE WITHOUT PRIOR APPROVAL OF THE ORIGINATING OFFICE IN MEXICO."

"Information available to this office fails to confirm that Subject left Mexico for Habana, or arrived in Mexico City from Habana by air anytime during 1962."

SOURCE

51

5 Bureau (Encs. 8)

(1 - Liaison Section)

(2 - Dallas, 44-1639)

1 - Mexico City

MDC:jhk

R/S 3-16-64 (6)

JWH/coc

ENCLOSURE

79 MAR 18 1964

Classified by 22408/1/16/71
Exempt from GDS, Category 1

44-24016-1222

25 MAR 13 1964

SECRET

MC 44-5

CLASSIFICATION

The enclosed letterhead memorandum is classified
CONFIDENTIAL to protect a source of continuing value.



~~CONFIDENTIAL~~
UNITED STATES DEPARTMENT OF JUSTICE
FEDERAL BUREAU OF INVESTIGATION

In Reply, Please Refer to
File No.

WASHINGTON 25, D. C.

March 6, 1964

JACK L. RUBY, also known as
LEE HARVEY OSWALD, also known
as - VICTIM

This document contains neither
recommendations nor conclusions of
the FBI. It is the property of
the FBI and is loaned to your agency;
it and its contents are not to be
distributed outside your agency.

[REDACTED]

Classified by 2040
Exempt from GDS, Category 2
Date of Declassification Indefinite

7/16/77 TAD

Maintained Per CIA letter 9/23/88 b7C/FBI
SP6 [REDACTED] 4/2/89
#6454

~~CONFIDENTIAL~~

[REDACTED]

COPIES DESTROYED

21 DEC 29 1972

FEDERAL BUREAU OF INVESTIGATION

~~CONFIDENTIAL~~

REPORTING OFFICE DALLAS	OFFICE OF ORIGIN DALLAS	INVESTIGATIVE PERIOD 11/25/63 - 4/1/64
TITLE OF CASE JACK L. RUBY aka; LEE HARVEY OSWALD aka - VICTIM (DECEASED)		REPORT MADE BY SA MANNING C. CLEMENTS
CHARACTER OF CASE CR		TYPED BY eah

REFERENCES:

Reports of SA MANNING C. CLEMENTS, Dallas, dated 11/30, 12/6, 11, 14, 18, 19, 21, 31/63; 1/8, 17, 31, 2/18, 3/28/64.

b7C/FBI

- P -

ENCs. TO BUREAU:

Three sets each of photos:

- (1) Envelope and letter addressed to JACK L. RUBY
- (2) Two-page handprinted Application for Employment of JENO FARKAS
- (3) Four pages of handwriting reported to be that of FARKAS

Classified by SP6 [redacted]
Declassify on: OADR 12/3/89
#6454

APPROVED SPECIAL AGENT IN CHARGE	DO NOT WRITE IN SPACES BELOW <div style="display: flex; justify-content: space-between;"> 44-24016-1367 REC-115 </div> <div style="display: flex; justify-content: space-between;"> 17 APR 9 1964 REC-44 </div>
COPIES MADE: ⑤ - BUREAU (44-24016) (ENCs.--9) 5 - DALLAS (44-1639) <div style="text-align: center;"> 53 APR 16 1964 ENCLOSURE ENCLOSURE ATTACHED </div>	NOTATIONS <div style="text-align: center;"> CONFIDENTIAL </div>

DISSEMINATION RECORD OF ATTACHED REPORT			
AGENCY	DATE FWD.	HOW FWD.	BY
VIC L. [redacted]	4-9-64	6-94-B	JWH

1 cc Ltr. Comm. Sec.
2-7-64 JWH/enc

DL 44-1639/eah

~~CONFIDENTIAL~~

ADMINISTRATIVE

Reference is made to pages 40 - 48, report of SA MANNING C. CLEMENTS, 2/18/64, relative to allegations RUBY was in Cuba in late 1962 and early 1963, and specifically to the allegation he traveled to Cuba by air from Mexico City.

Legat, Mexico City, by communication 3/6/65, furnished information received from CIA in a memorandum dated 2/27/64, as follows:

"Information available to this office fails to confirm that subject left Mexico for Habana, or arrived in Mexico City from Habana by air anytime during 1962."

Reference pages 23 - 29, report of SA MANNING C. CLEMENTS, concerning efforts to identify one "DAVIS," with whom RUBY had allegedly been in contact regarding shipment of merchandise to Cuba.

The Miami Office has advised as follows:

[REDACTED]

[REDACTED]

Miami sources and informants were contacted with negative results concerning the identity of DAVIS.

Local federal agencies advised they do not know anyone possibly identical with DAVIS.

Reference is made to page 772, report of SA MANNING C. CLEMENTS, 11/30/64, Dallas, and Dallas airtel 1/29/64, concerning a notation found in effects of RUBY, as follows:

"CARLOS CAMARGO (probably CAMARGO), telephone 14-9628, Mexico City."

- C -
COVER PAGE

~~CONFIDENTIAL~~

CIA info only as unclassifiable
Per CIA letter 9/23/88
SP6- 4/6/89, #26554
b7C/FBI

b2
b7D
b7C

b3
(50
U.S.C.
403)
per CIA

CENTRAL INTELLIGENCE AGENCY
WASHINGTON 25, D.C.

472

12 JUN 1964

Briggs

Thilen

TO: Director
Federal Bureau of Investigation
Attention: Mr. S. J. Papich

FROM: Deputy Director for Plans

SUBJECT: Information Concerning Jack RUBY (aka Jack RUBENSTEIN)
and His Associates

Attached for your information is a copy of a memorandum
concerning Jack RUBY aka Jack RUBENSTEIN which this Agency
has forwarded to the President's Commission on the Assassination
of President Kennedy.

DECLASSIFIED BY *SP*
ON *2/2/89*

b7c/FBI

Rec CIA letter 9/23/84

44-24016-1585

6 JUN 22 1964

B
ENCLOSURE

1 - 3/781,841

REC-31

Attachment: a/s

EX-103

J. W. Hines
6-11-64

64 JUN 26 1964

b3
(50 U.S.C.
403)
per CIA



CENTRAL INTELLIGENCE AGENCY
WASHINGTON 25, D.C.

10 JUN 1964

MEMORANDUM FOR: Mr. J. Lee Rankin
General Counsel
President's Commission on the
Assassination of President Kennedy

SUBJECT: Information Concerning Jack RUBY
(aka Jack RUBENSTEIN) and His
Associates

1. Reference is made to your memorandum of 19 May 1964, requesting that this Agency furnish any information in its files relative to Jack RUBY, his activities, and his associates. Examination of CIA records has failed to produce information on Jack RUBY or his activities. We also have no indication that RUBY and Lee Harvey OSWALD ever knew each other, were associated, or might have been connected in any manner whatsoever.

2. Similarly, the records of this Agency were reviewed for information about RUBY's relatives, friends, and associates named in your summary of his background. We found no information pertaining to any of those persons or organizations, except for a reference to Paul Roland JONES, identified in your summary as RUBY's sister's friend who had been convicted on a narcotics violation in Dallas in about 1948. The reference in our files is to reports originated in 1948 by the U.S. Customs Service, Treasury Department.

gll
Texas

DECLASSIFIED BY SP6 [redacted]
ON 2/2/89 #16454

Per CIA letter 9/23/88

b7C/FBI

44-24016-1585

ENCLOSURE

b3 (50 U.S.C.
403)
per CIA

[redacted]

b3
(50 U.S.C. 403) per CIA

3. Several references in our records pertain to persons whom we cannot identify as being the persons cited in your summary. Most of these references are to reports we received from the FBI and we presume that the appropriate information, if any, has been furnished to the Commission. Set out below is all of the available information in the files of this Agency pertaining to persons who may or may not be identical with individuals mentioned in your summary:

Calif
a. ~~Hyman~~ MAGID, Jack RUBY's sister's first husband

Spain
~~One~~ MAGID (first name unknown) served as a First Lieutenant in the 17th Battalion, 15th Brigade of the International Brigades during the Spanish Civil War.

b. ~~Sam~~ GORDON, friend of RUBY *Texas*

The name Sam G. ~~GORDON~~ appeared in a miscellaneous collection of archival materials relating to World War II. The only identifiable data given about him were: he was a First Lieutenant in the U.S. Army; he was assigned to the Air Service Command at San Bernardino, California, in 1943; and his "home address" was 7453 Princeton Avenue, Chicago, Illinois.

Texas
c. ~~Alex~~ GRUBER, friend of RUBY

CIA records contain a number of references from usually reliable sources to an Alexander ~~GRUBER~~, born on 18 April 1905. This person was identified as an Austrian policeman and a Communist.

We also have a report from other usually reliable sources that one Alexander ~~GRUBER~~, a Hungarian national, born in about 1907, had arrived by air in Rio de Janeiro travelling from Recife, Brazil on 4 September 1960. In Rio he stayed at the Hotel Natal.

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(50 U.S.C. 403)
per CIA

b3
(50 U.S.C.
per CIA 403)

Texas

d. H.L. HUNT or Lamar HUNT, a name in RUBY's notebook

There is a 1943 reference that one H.L. HUNT of Laredo, Texas, was the editor of El Tiempo de Laredo, a daily published in Laredo, Texas. The paper's editor was one William Prescott ALLEN; its address was given as 1404-06 Matamoras Street, Laredo, Texas and the circulation was supposed to have been 10,638. This bilingual paper urged cooperation between the people of North and Latin America and was reportedly pro-Mexican and anti-fascist.

4. A copy of this report is being forwarded to the FBI.

(Signed) Richard Helms
Richard Helms
Deputy Director for Plans

b3
(50 U.S.C.
403)
per CIA

PRESIDENT'S COMMISSION
ON THE
ASSASSINATION OF PRESIDENT KENNEDY

200 Maryland Ave. N.E.
Washington, D.C. 20002
Telephone 543-1400

EARL WARREN,
Chairman
RICHARD B. RUSSELL
JOHN SHERMAN COOPER
HALE BOGGS
GERALD R. FORD
JOHN J. McCLOY
ALLEN W. DULLES

J. LEE RANKIN,
General Counsel

JUN 18 1964

Mr. J. Edgar Hoover, Director
Federal Bureau of Investigation
Pennsylvania Ave. & 9th St. N. W.
Washington, D. C. 20535

Dear Mr. Hoover:

Information provided to the Commission by another agency discloses that one (FNU) Magid served as a First Lieutenant in the 17th Battalion, 15th Brigade of the International Brigades during the Spanish Civil War.

Please re-interview Hyman Magid (Clements Report, January 31, 1964, p.14), former husband of Jack Ruby's sister, Eva Grant, to determine whether or not the above individual is identical to Hyman Magid or any member of his family. If so, inquire further of Mr. Magid concerning the political activities of Jack Ruby and Eva Grant. Please also inquire, whether or not, Eva Grant was ever employed or associated with Al Capone or any other underworld elements.

Sincerely,

J. Lee Rankin

J. Lee Rankin
General Counsel

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED #6454
DATE 2/2/89 BY SP6 [redacted]

Per CIA letter 9/23/86 b7C/FBI
REC-18

JUN 18 10 10 AM '64

RECEIVED DIRECTOR
JUN 24 1964

44-24016-1511

JUN 19 1964

35 JUN 19 1964 33

EXP. PROC.

UNRECORDED COPY FILED IN 100-100000

6/22/64

1 - Mr. Swanson

Airtel

ZII-LS

To: SACs, Chicago (44-645) (Enclosure)
Dallas (44-1639)

From: Director, FBI (44-24016) - 1597

JACK L. RUBY, AKA;
LEE HARVEY OSWALD, AKA - VICTIM
CIVIL RIGHTS
OO: DALLAS

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED #6454
DATE 2/2/89 BY SP6 [REDACTED]

Per CIA letter 9/23/88 - b7C
FBI

Enclosed herewith for Chicago is a letter from the President's Commission dated 6/18/64 setting forth information that information received by another Government agency discloses that one First Name Unknown (FNU) Magid served as a First Lieutenant in the 17th Battalion, 15th Brigade of the International Brigades during the Spanish Civil War. Commission requests that Hyman Magid, former husband of Jack L. Ruby's sister, Eva Grant, be reinterviewed to determine whether he is identical with FNU Magid or any member of his family and, if so, he should be interviewed concerning political activities of Ruby and Eva Grant as well as determine whether or not Grant was ever employed or associated with Al Capone or any other underworld elements.

Persons contacted should be advised that investigation is being conducted at the specific request of the President's Commission on the Assassination of President Kennedy. Requested investigation should be immediately conducted and thereafter letterhead memorandum setting forth the results of investigation should be promptly submitted suitable for dissemination to the Commission. Letterhead memorandum should be carefully reviewed to insure that there are no grammatical errors. Furnish Dallas copies of results of investigation.

MAILED 5
JUN 22 1964
COMM-FBI

HCS/ras
(6)

SEE NOTE ON PAGE TWO.

Tolson _____
Belmont _____
Mohr _____
Casper _____
Callahan _____
Conrad _____
DeLoach _____
Evans _____
Gale _____
Rosen _____
Sullivan _____
Tavel _____
Trotter _____
Tele. Room _____
Holmes _____
Gandy _____

JUN 24 1964

JUN 25 1964

MAIL ROOM ☒ TELETYPE UNIT ☐

UNRECORDED COPY FILED IN

NOTE:

Commission by letter 6/18/64 advised received information from another Government agency that one FNU Magid charged with the 15th Brigade of the International Battalion during the Spanish Civil War. The Government Agency referred to is CIA and we received a copy of their report to the Commission dated 6/10/64 by memorandum 6/12/64 which contained this information. We previously interviewed Hyman Magid who is co-owner of a butcher shop in Chicago, Illinois, and was formerly married to Ruby's sister, Eva Grant. Magid advised us that he has had no contact with Eva Grant or members of her family since the 1930's when he separated from her. He had no more than a faint recollection of Ruby. Stated he knew of no organizations to which Ruby or his family belonged to.

June 30, 1964

BY COURIER SERVICE

- 1 - Mr. Belmont
- 1 - Mr. Rosen
- 1 - Mr. Malley
- 1 - Mr. McGowan
- 1 - Mr. Hines

JS
Honorable J. Lee Rankin
General Counsel
The President's Commission
200 Maryland Avenue, Northeast
Washington, D. C.

Dear Mr. Rankin:

Jack Ruby

In reply to your letter of June 18, 1964, requesting interview of Hyman Magid, there are enclosed herewith two copies of a memorandum dated June 24, 1964, at Chicago, Illinois, setting forth the results of the requested investigation.

Sincerely yours,

J. Edgar Hoover

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED #6454
DATE 2/2/89 BY SP6 [redacted]

Enclosures (2)

JWH:job
(7) *job*

Per CIA letter 9/23/88. FBI b7c

REC'D-READING ROOM
FBI
JUN 30 3 03 PM '64

NOTE: Hyman Magid is the former husband of Eva Grant, Jack Ruby's sister. The Commission received information from the CIA that one (FNU) Magid had participated in the Spanish Civil War and requested that we interview Hyman Magid. Magid denied having ever participated in the Spanish Civil War or having any relatives who had done so.

- Tolson _____
- Belmont _____
- Mohr _____
- Casper _____
- Callahan _____
- Conrad _____
- DeLoach _____
- Evans _____
- Gale _____
- Rosen _____
- Sullivan _____
- Tavel _____
- Trotter _____
- Tele. Room _____
- Holmes _____
- Gandy _____

JUN 30 3 55 PM '64

JUL 7 - 1964

MAIL ROOM ☐ TELETYPE UNIT ☐ FBI
REC'D MAIL ROOM

BY COURIER SVC.
JUN 30 1964
COMM-FBI

REC-4944-24016-1640
JUL 1 1964

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XXXXXXFEDERAL BUREAU OF INVESTIGATION
FOIPA DELETED PAGE INFORMATION SHEET

Page(s) withheld entirely at this location in the file. One or more of the following statements, where indicated, explain this deletion.

- ☐ Deletions were made pursuant to the exemptions indicated below with no segregable material available for release to you.

Section 552Section 552a☐ (b)(1)☐ (b)(7)(A)☐ (d)(5)☐ (b)(2)☐ (b)(7)(B)☐ (j)(2)☐ (b)(3)☐ (b)(7)(C)☐ (k)(1)☐ (b)(7)(D)☐ (k)(2)☐ (b)(7)(E)☐ (k)(3)☐ (b)(7)(F)☐ (k)(4)☐ (b)(4)☐ (b)(8)☐ (k)(5)☐ (b)(5)☐ (b)(9)☐ (k)(6)☐ (b)(6)☐ (k)(7)

- ☐ Information pertained only to a third party with no reference to you or the subject of your request.
- ☐ Information pertained only to a third party. Your name is listed in the title only.
- ☐ Documents originated with another Government agency(ies). These documents were referred to that agency(ies) for review and direct response to you.

Pages contain information furnished by another Government agency(ies). You will be advised by the FBI as to the releasability of this information following our consultation with the other agency(ies).

Page(s) withheld for the following reason(s):

☒ For your information: This document is a duplicate to
62-109060-5224

☒ The following number is to be used for reference regarding these pages:

44-24016 3rd UR after 2159

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X FOR THIS PAGE X
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The Attorney General

Director, FBI

ASSASSINATION OF PRESIDENT
JOHN FITZGERALD KENNEDY
NOVEMBER 22, 1963,
DALLAS, TEXAS

1 - Mr. C. D. DeLoach
1 - Mr. Mohr
1 - Mr. Conrad

May 17, 1967

1 - Mr. Wick
1 - Mr. Rosen
1 - Mr. W. C. Sullivan
1 - Mr. T. J. Smith
1 - Mr. W. A. Branigan
1 - Mr. Lenihan

The New Orleans "States-Item" newspaper for May 12, 1967, carried an article entitled "Coded Ruby Phone Listing in Oswald, Shaw Notes--D4." A copy of this article is attached. The article reports that New Orleans District Attorney James C. Garrison claims that the address books of Clay Shaw and Lee Harvey Oswald listed the same digits, 19106, concerning a Post Office Box in Dallas. Garrison further claims that by interposing the digits and subtracting the number 1300, the result was telephone number Whitehall 1-5601, which Garrison identified as Jack Ruby's unpublished telephone number in Dallas in 1963.

For your information, on April 24, 1967, this Bureau received an inquiry from Senator Russell Long of Louisiana which appears to be related to this particular matter. Senator Long, in his contact with this Bureau, stated that he had been specifically requested by New Orleans District Attorney Garrison to contact the FBI and determine to whom Dallas Post Office Box 19106 was rented at the time of the assassination of President Kennedy. No information was furnished to Senator Long but he was referred to the Department of Justice or to the National Archives of the United States.

The number of current interest in Garrison's probe appears on page 57 of Lee Harvey Oswald's address book. A copy of this page is attached. Contrary to Garrison's claim, this notation was contained among the number of items in the Russian language which appear in Oswald's address book and is not Post Office Box 19106 but instead is translated as DD19106. All of the items contained on page 57 of Oswald's address book appear to have been made by him during his stay in Russia from 1959 to June, 1962.

Tolson _____
DeLoach _____
Mohr _____
Wick _____
Casper _____
Callahan _____
Conrad _____
Felt _____
Gale _____
Rosen _____
Sullivan _____
Tavel _____
Trotter _____
Tele. Room _____
Holmes _____
Gandy _____

62-109060

ENCLOSURE

REL:as (15)

ENCLOSURE

REC'D - READING ROOM

NOT RECORDED

MAY 17 1967

MAILED 2

SEE NOTE PAGE FOUR

MAY 17 1967

COMM-FBI

67 MAY 19 1967

TELETYPE UNIT

44-24016
44-24016-2159

The Attorney General -

For example, among the items listed on page 57 is a reference to OVIR which is the Department of Visas and Registration in Moscow. A telephone number listed under this particular entry, E-45026, was listed to the Moscow City Executive Committee. Another reference on this page is to the Hotel Ostankino in Moscow. On December 4, 1963, when questioned about this item, Marina Oswald, wife of Lee Harvey Oswald, informed our Agents that she and her husband stayed at the Hotel Ostankino for a few days prior to their departure from the Soviet Union in 1962.

Three other items appearing on page 57 appear to be telephone numbers DD19106, DD10206 or DD19206 and D19107.

*See
p. 117*

During the course of our investigation of the assassination, we made available to the Central Intelligence Agency (CIA), for analysis, a copy of the address book of Lee Harvey Oswald. In connection with the telephone number, DD19106, CIA determined there was no telephone listing in the then current Moscow telephone directory for such number. However, there was a listing for telephone number D19106 which was listed to a railroad station restaurant in Moscow. It appears possible that Lee Harvey Oswald, in his comparative unfamiliarity with the Russian language, could have erroneously copied the double "D" as a prefix to a Moscow telephone listing.

It appears that Garrison is again attempting to introduce gimmicks into his investigation of the assassination to support his claim that Clay Shaw was involved in a conspiracy with Lee Harvey Oswald and Jack Ruby. The telephone number Whitehall 1-5601 is publicly identified in the Warren Commission Report as an unpublished telephone number of Jack Ruby. This is Commission Exhibit number 2300. Although Garrison has come up with Jack Ruby's telephone number in his so-called coding procedures, it is recognized that Garrison could have taken any number in Oswald's address book and by adding or subtracting certain digits to or from such number could have arrived at the same result.

We have carefully examined and analyzed Garrison's decoding procedure as set forth by news media. Garrison's coding system appears to involve a complex manipulation of two letters and five digits which Garrison misinterprets as "PO 19106"

The Attorney General

and thereafter arbitrarily changes by adding telephone dial equivalents for "P" and "O," or 7 plus 6 equals 13. Garrison then arbitrarily splits this 13 into two segments of 9 and 4 which he reequates on the telephone dial to "WH."

In a similar arbitrary fashion, Garrison changes 19106 by rearrangement into 16901 and then subtracts 1300 from this rearranged number to obtain 15601. Combining the two manipulations, he comes up with "WH 1-5601" which was Jack Ruby's telephone number. Garrison's purported decipherment is an arbitrary manipulation of letters and numbers to arrive at a predetermined conclusion and no technical validation for it can be found.

McC
CIA
We recontacted CIA on May 15, 1967, to ascertain if CIA possesses any information which would shed additional light on Russian telephone number ED19106. CIA has informed us that it possesses no additional information in this particular matter.

With respect to the notation appearing in Clay Shaw's address book as noted in the enclosed newspaper article, please be advised that this Bureau has never examined Clay Shaw's personal effects nor have we investigated or interviewed Clay Shaw in connection with the assassination of President Kennedy. We recognize that there is a possibility that Garrison may be manufacturing evidence and, since he has had Shaw's effects in his possession for several weeks, he or a member of his staff could have inserted a fraudulent entry into Shaw's address book.

In this connection, your attention is called to my letter of May 3, 1967, which set forth data volunteered to this Bureau by Mr. Hugh Aynesworth, correspondent for "Newsweek" magazine. On page two of a memorandum which was attached to my letter of May 3, 1967, it is reported that Mr. Aynesworth alleged that one John Cancler, a notorious burglar, had told attorneys of Clay Shaw that he was released from jail in a "deal" provided he would enter Shaw's residence and "plant" something. Aynesworth further reported that Garrison had resorted to intimidation and bribes in order to develop favorable testimony for his investigation.

Enclosures - 2

The Attorney General

- 1 - Mr. Harold Barefoot Sanders, Jr. (Enclosures - 2)
Assistant Attorney General
- 1 - Mr. Fred M. Vinson, Jr. (Enclosures - 2)
Assistant Attorney General
- 1 - Mr. J. Walter Yeagley (Enclosures - 2)
Assistant Attorney General

NOTE:

See memorandum Branigan to Sullivan dated 5/16/67,
prepared by REL:jmk, and also memorandum Branigan to Sullivan
dated 5/14/67 prepared by WAB/REL:lag.

(Mount Clipping in Space Below)

CODED RUBY PHONE LISTING IN OSWALD, SHAW NOTES--DA

(Indicate page, name of newspaper, city and state.)

PAGE 1

STATES-ITEM

NEW ORLEANS, LA.

Date: 5-12-67

Edition: FINAL

Author:

Editor:

Title: ASSASSINATION OF
PRESIDENT JOHN F.
KENNEDY, DALLAS, TEX

Character: 11-22-63

or AFO

Classification: 89-

Submitting Office: N.O., LA.

☒ Being Investigated

Dist. Atty. Jim Garrison told Criminal District Court today his office has broken a telephone number code which he said appears both in the notebooks of Lee Harvey Oswald and accused Kennedy murder conspirator Clay L. Shaw.

The result of the decoding, he asserted, was that the 1963 unpublished telephone number of Jack Ruby at Dallas was discovered in both Oswald's and Shaw's notebooks.

Garrison made the disclosure in a formal answer to defense motions filed in Judge Edward A. Haggerty Jr.'s

44-24816 -
ENCLOSURE

See to AB
(2 am)
REL/as 5-11-67
-D. V. (2 am)
-15-1-67

THE ANSWER WAS MADE BY THE DA to a motion filed by the defense last week. Defense attorneys sought the return of Shaw's notebook, which was seized March 1 along with five cartons of materials taken from the defendant's handsome French Quarter home.

Garrison has charged that Oswald, Shaw and the late David W. Ferrie conspired here in September, 1963, to kill President John F. Kennedy at Dallas.

Shaw was indicted March 22 and is free on \$10,000 bond. Oswald, the man the Warren Commission named as Kennedy's lone slayer, was shot to death by Ruby in the Dallas Police headquarters two days after Kennedy was killed Nov. 22, 1963.

Replying to a state attack on the relevance of the notebook, Garrison's formal answer said:

"While the state considers the other items relevant also, the address book is so connected with the issue that it would be an injustice to allow it to be returned, with the possibility that it might be destroyed forever."

Oswald's address book, from which Garrison said the code was broken, is published in full in the Warren Commission report.

Garrison said Shaw's address book "contains a unique address which exists also in the address book of Lee Harvey Oswald, as printed in the Warren Commission exhibits (Volume XVI, Page 58)."

THE DA SAID the books contain the same Dallas post office box reference, "P. O. Box 19106." He filed photographs to support the assertion.

Shaw's notebook, he added, carries a notation which is a "reference to one Lee Odorn of Dallas, Texas."

"What makes even more significant this interesting concurrence of address is the fact that in 1963 there existed no such post office box number in Dallas," the Garrison answer contends.

"WHEN TWO parties each have precisely the same non-existent or fictional number," the DA's answer continues, "in their respective address books, the possibility of coincidence is removed because of the uniqueness of a selected non-existent number."

"The fact is that P. O. 19106 has been found to be a coded description of an unpublished phone number in Dallas, Tex., in 1963. The code involved is one which is used in Oswald's notebook quite systematically, apparently for the purpose of concealing phone numbers he regarded as sensitive . . ."

The pleading goes on to indicate that the post office box number "inevitably and unavoidably" produces the unpublished telephone number of Ruby during 1963.

IN THE PLEADING, Garrison said that with many five digit numbers found in Oswald's notebook, the order of the letters A B C D E is transposed, for the purpose of coding, to A E B D C. Garrison said a reverse process is used in unscrambling.

Referring to the prefix telephone exchange letters, the Garrison papers declared:

"Oswald invariably uses the dial of the telephone as conversion machinery to convert letters into numbers and back again. He systematically adds the number values resulting in a sum which can be later broken down into the real exchange listing."

By using the telephone dial for conversion of letters to numbers, he explained, the letters "P.O." become the digit 13. The only exchange which the number 13 converts to in Dallas, he added, is Whitehall.

The post office box number found in the Shaw and Oswald address books, 19106, when unscrambled, becomes 1-6901, the DA continued. By subtracting 1300 from 1-6901, he added, the result is 1-5601.

ACCORDING TO the Garrison pleading, Ruby's unpublished telephone number at Dallas in 1963 was Whitehall 1-5601.

Explaining the use of the number 1,300 for final conversion, the DA said Oswald's code uses an invariable process which is "always done the same way."

He said Oswald used a standard outside number for the "obvious purpose" of superficially changing the appearance of the digits.

"The two standard numbers used by Oswald in coding numbers in his address book," Garrison said, "are 4900 and 1300."

Observers noted that Oswald lived in the 4900 block of Magazine when he was here in the summer of 1963. Shaw's home is in the 1300 block of Dauphine.

IN OTHER ACTION today, the state replied to a defense motion for a bill of particulars and prayer for over in the case of Layton Patrick Martens, a one-time Ferrie roommate charged with perjury.

Martens, a 24-year-old college student, was indicted for allegedly lying in connection with the mysterious disappearance of munitions from a dump at Houma in 1961.

Asst. DA Richard V. Burnes defended the rule of secrecy surrounding grand jury proceedings and said the defense was not entitled to a transcript of the complete grand jury hearing at which Martens is accused of lying.

He said Martens was warned that "failure to tell

D

D

DA'S PHOTOS OF PAGES FROM OSWALD DIARY.
SHAW NOTEBOOK FILED IN CRIMINAL COURT TODAY

OBAP Room
OVR
y/ capib
BAC REFL
K4500T
IN 1206
TH 1106
OCTAHUN
6704 8
COPY MASTER
KODAKH24 100

FROM NOTEBOOK OF LEE HARVEY OSWALD
(PAGE 50, VOLUME XVI, EXHIBITS)

Odum
Box 19106
Denton, Tex

FROM NOTEBOOK OF CLAY SHAW
(OBTAINED FROM SHAW RESIDENCE)

ОВИР Moscow
OVI R

ул. Огарёва
ВКА АИЗБиза

К450267

ТА 10206

ТА 19106

О-ТАНКУП
87.004 57

ОВИР Москва
КОЛПАЧНИЙ пер.?

57

44-24016-

ENCLOSURE

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XXXXXXFEDERAL BUREAU OF INVESTIGATION
FOIPA DELETED PAGE INFORMATION SHEET

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- ☐ Deletions were made pursuant to the exemptions indicated below with no segregable material available for release to you.

Section 552Section 552a☐ (b)(1)☐ (b)(7)(A)☐ (d)(5)☐ (b)(2)☐ (b)(7)(B)☐ (j)(2)☐ (b)(3)☐ (b)(7)(C)☐ (k)(1)☐ (b)(7)(D)☐ (k)(2)☐ (b)(7)(E)☐ (k)(3)☐ (b)(7)(F)☐ (k)(4)☐ (b)(4)☐ (b)(8)☐ (k)(5)☐ (b)(5)☐ (b)(9)☐ (k)(6)☐ (b)(6)☐ (k)(7)

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62-109060-5426

- ☒ The following number is to be used for reference regarding these pages:

44-24016 7th UR after 2159

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X NO DUPLICATION FEE X
X FOR THIS PAGE X
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JACK RUBY'S STORY

WHY I KILLED

OSWALD

My Fateful 40 Hours

I Just Sat And Grieved

Twice Jack Ruby—armed with a revolver—stood within a few feet of Lee Harvey Oswald. The first time, Ruby did nothing. The second time he shot and fatally wounded President Kennedy's assassin. Why did he initially stay his hand? Ruby's reasoning provides a startling insight into the personality of this strange and complex man. And his desire for a ringside seat at police headquarters when Oswald was first being interrogated provides a clue as to just why he thrust himself into the midst of a great national tragedy. In today's second article of a series, Jack Ruby continues telling his own story by tracing the events which led to his second—and fatal—confrontation with Oswald; the occasion on which Ruby balanced the ledger—a life for a life.

By JACK RUBY

(With William Read Woodfield)

It was now Friday evening. President Kennedy had been dead six hours. My appointment with Lee Harvey Oswald was 40 hours away. Only I didn't know it at the time. Oswald was the furthest person from my thoughts were of our dead President.

Tolson _____
Belmont _____
Mohr _____
Casper _____
Callahan _____
Conrad _____
DeLoach _____
Evans _____
Gale _____
Rosen _____
Sullivan _____
Tavel _____
Trotter _____
Tele Room _____
Holmes _____
Gandy _____

The Washington Post and Times Herald _____
The Washington Daily News _____
The Evening Star _____
New York Herald Tribune _____
New York Journal-American _____
New York Mirror _____
New York Daily News _____
New York Post _____
The New York Times _____
The Worker _____
The New Leader _____
The Wall Street Journal _____
The National Observer _____
People's World _____
Date _____

JAN 29 1964

NOT RECORDED

128 FEB 10 1964

I left my sister Ev's house about 7:15 p.m. and went to my club, The Carousel. I cleaned up and dressed to go to the memorial services for our President. I turned the television on in the living room and kept watching the news that was happening and the re-runs of the earlier news. I was low, depressed.

The phone rang. It was Karen Linn Bennett, a stripper who worked for me under the name, "Little Linn." (The same Little Linn charged with carrying a concealed weapon—a .25' automatic—into Ruby's bond hearing in Dallas on Dec. 22.)

Linn had gone to the club, found it closed and didn't understand why. I got sore.

"Don't you have any respect for the President?"

I asked her.

She said she did but that she had come from her home in Fort Worth without any money, expecting to go to work. She said she was stranded.

I asked her where she was and she said The Colony Club. I was shocked that it was open but I told her I was going to the memorial services and would drop off some money to her on the way so she could get home.

'Who Are These People Who Hate?'

I just sat and grieved and watched television. Linn called again about 8:45 and I told her I just couldn't make it. I said, "I'm just too sad." I asked her to put the parking lot attendant on the phone and I asked him to give Linn \$5 to get home and I promised him I would pay him back. I watched television and my heart ached—for Mrs. Kennedy, the children, the entire world.

I thought, too, of how when Ambassador Stevenson spoke in the Dallas Memorial Auditorium (Oct. 24), pickets had chanted:

"Kennedy will get his reward in Hell. Stevenson is going to die. His heart will stop, stop, stop and he will burn, burn, burn."

My God, what a world. Who are these people who hate?

I arrived at the memorial services about 10:15. I was late. I took my gun out of my pocket and slipped it down behind my car seat. I missed the services, but I asked a few people what had been said. My mind was foggy. I didn't really want to talk to anyone. I was morbid. Someone named Leona tried to talk to me but I didn't want to. I got back in my car, sat on my gun and put it back into my right trouser pocket.

I drove around downtown Dallas. I saw clubs open, people having fun. "My God," I thought. "Why aren't they in mourning?" I found The Ball Hal (another night club) open. I was shocked that there was not more sadness.

I went to a delicatessen opposite The Vegas Club.

I had coffee and read the paper. I read that homicide was working overtime. I called homicide and talked to my friend, Detective Sims.

"I know you have been working hard and I want to bring you some corned beef sandwiches," I said.

Sims said, "Gee, Jack, thanks, but we are all through. We are winding up our interrogation."

Then I thought of my friends at KLIF-TV. I called my friend, Gordon McLendon, to see if they wanted some sandwiches. I knew they had been working hard all day. As the phone rang, the thought that it was an organization that had killed the President went through my mind. I couldn't get through to KLIF-TV so I called Gordon McLendon's home to get the private night number.

Sandwiches for the TV Crew

His daughter Christine answered and I told her I wanted to help those people at the television station, bring them sandwiches. She gave me the number but it didn't answer either.

I figured everyone was at City Hall or Police Headquarters and I told Bill Mill (the delicatessen owner) to make me "10 good corned beef sandwiches and don't spare the meat." I promised I would give him a free pass to The Carousel Club. He only made eight for some reason and I got a black cherry soda and went to the phone to call Ev.

I asked her if she was all right and she said she was in a daze and she asked me if I had said a prayer for the President. I told her that I did and that I was going down to the City Hall with some sandwiches for the KLIF-TV crew. I wanted to do something kind. Money had no value. Everything had lost its value. My whole world was gone. I just wanted to do something to help someone.

I went to the police station and parked in the lot. I left Sheba (his dog) and the sandwiches in the car. I was looking for Joe Deland of the KLIF-TV crew. He could tell me how to get through to Gordon McLendon. A police officer asked me where I was going and I told him.

As I walked through the halls, fellows kept saying, "Hello Jack . . . Hi Jack." I didn't feel so lost. Being with a crowd and being known kind of took the mourning feeling away. I took the elevator upstairs. There were a lot of officers who knew me and said hello to me.

First Sight of Oswald

But no one was sad. There was no crying, no tears. I asked a police officer friend on page Joe Deland for me but we couldn't find him. Suddenly Chief (Jesse) Curry and Homicide Capt. Will Fritz appeared with Oswald. He was suddenly in a swarm of people. I lost my purpose in going there.

The reporters and TV men started complaining to Chief Curry about the hallway being too crowded. They protested that they needed more room so Oswald was taken out. He was mumbling. I didn't think much of him. He looked like a creep. But he didn't look like he could have killed our President all alone.

Chief Curry took us to the basement to the assembly room—a large room. I got up on a table in the corner so that I would be out of the way and could see everything. Capt. Fritz and Henry Wade, the Dallas County District Attorney brought Oswald out into view of the TV cameras and photographers. (Wade, incidentally, was friend of Ruby's. He will handle the case against him).

They took their pictures and the reporters asked Oswald questions. He was mumbling answers. When everyone had his pictures they took him away. I had my gun in my pocket this night. I was just a few feet from the deceased (Oswald).

I had no thought of killing him. It never entered my head. Besides, he was still only a suspect—innocent until proven guilty.

"We have enough evidence to convict," I heard my friend, Henry Wade, announce to the hundreds of reporters and TV men. Henry also announced that the deceased (Ruby often refers to Oswald as "the deceased") refused to take a lie detector test.

Evidence Called Conclusive

Wade also told us that Oswald had denied being a Communist but admitted being a Marxist and having defected to Russia. Chief Curry confirmed that the evidence was "conclusive" and someone said that fingerprints had been found. Everyone seemed convinced that the fingerprints belonged to Oswald—or, at least, that was the impression I got.

Henry Wade told us that he would "ask for and get the death penalty." I heard someone ask Henry how many men he had personally sent to the electric chair. He said, "23 out of 24." I thought to myself, "Good work, Henry. I'm sure glad you're handling the case." I felt proud that Henry Wade was my friend and I slipped a Carousel guest card into Henry's pocket and patted him on the back.

Henry gave a statement to the press and he referred to the "Fair Play for Cuba Committee," the pro-Castro organization to which Oswald belonged, as the "Free Play for Cuba Committee." I said, "No, Henry, it's Fair Play for Cuba." I knew because I had heard it on the radio.

'He's a Nut! That's Why!'

A KBOX-TV man passed by and I asked him for the KLIF-TV number. He gave it to me. I still couldn't understand why there was no feeling of sadness there. There was a lot of talk about how Henry Wade would "try" the deceased. I asked someone why Oswald did it. Someone else said, "He's a nut! That's why!"

I called KLIF-TV. I talked to my friend Ken and told him about the sandwiches. He asked me what was happening and I told him what Wade had said. He asked me if I could get Henry to the phone. I said sure and called Henry and put the phone in his hand. Ken later told me it was a great interview but I missed it.

I wandered off and ran into Russ Knight, a KLIF disc jockey. I had a message for him. I then took Russ downstairs and arranged another interview with him and Henry. I prompted Russ to ask Henry if Oswald was insane. Henry grinned and said not likely.

He admitted that psychiatrists hadn't examined Oswald but if there was the slightest possibility that he were insane, Henry wouldn't have been so sure he would get electrocuted. He would have waited until after finding out if he were sane or insane before announcing what penalty Oswald should get.

Now that I think about it, I remember hearing Henry held a press conference just a little while after I shot the person. Henry said he wanted to electrocute me and a doctor hadn't looked at me, either.

'Never Thought of Shooting Him'

I never at any time thought of shooting him (Oswald). I thought he would get to trial. I did not think he would get shot. I did not tell Capt. Will Fritz—as he now claims I did—that I would shoot Oswald.

If I said such a thing to a police captain, would he have allowed me to stay in the police station with a gun in my pocket? It's ridiculous. I can't imagine why Will Fritz would lie. It only makes him look foolish.

I left City Hall about 4 o'clock Saturday morning and went for coffee. The ad (which had attacked President Kennedy and which had run Friday morning in the Dallas Morning News) came

up again. Someone said, "Don't worry, the Dallas Morning News is suffering plenty. People are calling from all over canceling ads."

I went home and talked to George Senator (a friend with whom Ruby shared a two-room apartment) about the murder of our President. Again the ad came up and suddenly I remembered seeing a sign that said, "Impeach Earl Warren" and I felt there was a similarity between the ad insulting the President and the "Impeach Earl Warren" sign.

I felt I had to do something about it. I decided to photograph the sign that said "Impeach Earl Warren." I thought I would give KLIF-TV the picture. I called the club and asked Larry (an employee) if he would be in front with the Polaroid camera and take a picture for me. George and I drove to Ross and the Expressway (an intersection) and found the sign. It was about two feet by four feet and like an American flag. It said:

"Impeach Earl Warren,
Post Office Box 1757,
Beltham, Mass."

Larry took three Polaroid pictures of the billboard and I noticed that the post office box number was similar to the box number in the newspaper ad—Post Office Box 1792.

About 4:30 a.m. I rang the night bell at the Post Office and told the man on duty I wanted to see box 1792. He showed it to me. It was stuffed full of mail. I asked the Post Office man whose box it was. He said he didn't know.

Visits Site of Assassination

I was intense and highly nervous. We left the Dallas Post Office and went to the Southland Hotel coffee shop. I had some coffee. I couldn't understand what had happened to the world. I had to find out why these things happen.

Who would take out such an ad? Who would confront the Chief Justice (Warren) with such a sign? That's madness of the world.

About 5:30 George and I dropped Larry off and went home. I went to bed and fell asleep immediately. At 8 o'clock I got a call from Larry, who wanted to know what kind of dog food I wanted sent to Al Grupa's dog. I got mad and bawled the poor boy out for waking me and I haven't seen or heard from him since. I went back to sleep.

I got up about 11:30, washed dressed and went to the wreaths. (This is the spot at which President Kennedy was assassinated. Dallas residents have marked it with wreaths and flowers.) I saw Officer Chaney (a Dallas policeman with whom Ruby was friendly) on the curb and asked him to show me the window the shots were fired from. He did and I looked up and felt sick.

I went over to the place. "We grieve for you," I said. I looked at each wreath and read what they said. It was too sad. "We grieve for you, Mr. President," I said to him.

I saw Wes Weiss, a disc jockey I know, and we talked for a few minutes. I told him that I got Henry Wade to talk to KLIP-TV on the phone. Then I got into my car and saw Capt. Fritz and Chief Curry walking over to the scene of the murder. I backed up and blew my horn to Wes Weiss. "Wes," I called. "There goes Fritz and Curry. Take a picture." Wes did and I drove off.

About 1:15 p.m. I went to Sol's Turf Bar and a lot of guys were talking about the ad. They're screaming mad. I said, "Look what I've got. Three pictures. 'Impeach Earl Warren.'" One of the men said, "I'm quitting Dallas... This is a sick town." Another man said, "Remember when someone spit on Vice President Johnson here in Dallas?" The man said, "I'm through. I'm quitting Dallas." I said, "This town was good enough for you when you made money. Don't start that kind of rumor. Don't hurt our town."

Someone else said, "Dallas is dead. Did you hear about the children cheering when they heard the news of President Kennedy's murder?"

got sick. I didn't believe that children anywhere would cheer the murder of such a man as President Kennedy. Not even Castro would cheer, I thought.

I called lawyer Stanley Kauffman about 2:30 and told him I had this picture and that he should do something. "What?" he said. I didn't know what. I went back to the guys and made a speech about Dallas being a good town. I let off steam. Then I left. I don't know whether or not I went to the tailor's. At 4 o'clock I went to Ev's. I showed her pictures of the Warren sign.

Ev said, "If the city lets them put up such a sign, why should we worry? That Oswald creep, that's something to worry about." Still, I had no thought of doing what I did. I watched TV and saw the President's coffin being moved from the White House and drank juice. I was dried out from crying.

Learns Oswald Will Be Moved

I left Ev's home at 8 and went home and made myself dinner. I watched the mourners pass by the President's coffin—thousands of them, thousands of grieving Americans. I went to The Carousel about 10 and called Buck, Wall and Joe Feder. Then I called Ev and asked how she was. She said, "Awful." I said I'd call her back. I called her back about 20 minutes later.

I heard the TV on in the background. I asked her what was happening. She said, "Sadness is all. They're moving that creep to the jail in the morning... at 10." She said she felt worse and was going to bed. I said goodnight to her. It still did not enter my head to kill him.

I went to the Pogo Club on McKinney st. A girl said, "Hello Jack," but I wasn't cheerful. Bob Morton (the owner) came over and apologized for staying open. I told him not to apologize. I had no occasion for any safety. I was in mourning. I went to bed.

I was up early Sunday—about 5:50 a.m. I was sad. I took some diet pills and a cold prescription. The diet pills help me with my diet but they aggravate me. They make my problems worse and I had doubled my dosage four or five days before. When I take a drink with my diet pills I get nasty, mean and conceited. My friends don't know me. I don't care about the business. I just want to have a ball.

I was watching TV. I became very emotional.

Linn (Karen Linn Bennett) called about 10 o'clock asking for \$25 to pay her rent. Since we were closed, she was short of money. I told her I'd be going downtown and would send the money to her in care of Western Union in Fort Worth. (Karen Linn Bennett says that Ruby sounded over the phone "like he was crying and was upset.")

At 10:15 I said to George (Senator), "George, I'm going down to 'the wreaths,' then to send Little Linn that money and then take the dog to the club." I put my money in one pocket and my pistol in my right trouser pocket. I got my car and pulled out. My neighbor stopped me in the driveway and said, "Jack, you can build a fence around my yard for your dog." I told him I'd have it done.

I almost missed the road to Dealy Plaza (the assassination site) and had to back up. I passed "the wreaths." The traffic was moving very slow. Many cars were passing "the wreaths." Everyone was mourning.

I do down Main st. about 11 o'clock and I see TV and all kinds of people in front of the County Jail. I know that the deceased (Oswald) was going to be moved at 10. I glanced at a clock. It was a couple of minutes past 11. I assumed that he had already been moved to the county building from the City Jail.

A Left Turn At City Jail

I continued on up to the Western Union office and as I passed the City Jail I saw people there, too. I could see people down the ramp in the basement. I saw that there was no parking place at Western Union so I made a left turn—I'm sorry but it's illegal—and went into the parking lot.

I got out of the car, left Sheba, and went into the Western Union office. I waited, my turn and sent Little Linn the \$25. The clerk stamped the message while I was still in the telegraph office. The time stamp says 11:17 a.m. Remember this time!

I walked out of the telegraph office and started back toward my car. I saw the crowd still at the City Hall and got curious. It is a block-and-a-half from the Western Union office to City Hall. I passed the ramp to the basement of the City Hall.

I saw a crowd there. An officer was directing cars out of the basement and I walked down the ramp just as a car driven by Sam Pearce—an officer I've known for years—came up the ramp at full speed. I just took my normal stride and walked down the ramp.

I thought I'd see what was happening. I thought they had already transferred Oswald. I never even suspected the deceased was even there. I thought something might be doing and I thought I might get a scoop for my friend, Gordon McLendon.

I also thought I might pass out a few guest cards for The Carousel Club.

My hands were out of my pockets. I reached the bottom of the ramp. I didn't see anyone I knew. I put my hands into my pocket to be comfortable and walked to get a closer view of whatever was going to happen.

"I Must Have Been Crazy"

Suddenly there was a great commotion. Out of there walked Oswald. He was about 10 feet from me.

He came out all of a sudden with a sinister, defiant, cursing, vicious Communist expression on his face.

I can't convey what impressions he gave me.

I lost my sense. There was no one standing by me. Suddenly this person pops out.

I must have pulled out my gun and took a couple of steps. They (the police) could have blow my head off. I must have been crazy.

I only shot him once. I had no thought of doing violence to anyone when I went down there. didn't even think about it.

This man had wiped out everything I loved and lived for.

I remember being down on the floor and I said, "You don't have to beat me—my brains out. I'm Jack Ruby. What am I doing here? What are you guys jumping on me for? Why am I here?"

I'm Jack Ruby. I'm not somebody that's wanted.

They dragged me into the elevator. They brought me upstairs. They told me I had shot Oswald. That was the first time I realized what I had done.

I said, "My God . . . My God!"

Tomorrow: A man searching for identity.

(Copyright, 1964, Earl Ruby and William Read Woodfield)

Next: Ruby Bares His Past

You might call Jack Ruby a child without a childhood. Born and raised in Chicago's slums, he was out chasing a buck while still in knee pants. Yet, he voices few regrets. He paints what is basically a romanticized picture of his parents. And if life was tough, well, says Ruby, he liked it that way. Ruby prides himself on being a tough kid. He basked in the sunshine of his father's smile when the older Ruby called him a "little Cossack"—a fighter. In tomorrow's article, Jack Ruby looks at his own reflection in the mirror of life and likes what he sees. Yet, to the neutral observer, there emerges the picture of Ruby as a man without roots—a man searching for identity. That search for identity may have ended Nov. 24 in Dallas. Jack Ruby bares his past, and a few more shadows are lifted . . . a few more questions are answered.



BACK TO JAIL goes Jack Ruby in handcuffs, after the slayer of the accused assassin of President Kennedy had undergone psychiatric examination at a hospital in Dallas, Tex.

Wirephoto from AP



RUBY: The Deed Done



LEE OSWALD: Splintered by Ruby's Point-Blank Shot, He Lies Dying



OSWALD: The Unsuspecting

Why I Killed

the Assassin

JACK RUBY BEGINS

HIS STRANGE STORY

Belmont ☒
Mohr ☒
Casper ☒
Callahan ☒
Conrad ☒
DeLoach ☒
Evans ☒
Gale ☒
Rosen ☒
Sullivan ☒
Tavel ☒
Trotter ☒
Tele Room ☒
Holmes ☒
Gandy ☒

The Shock Of Tragedy

This is the first of a series of four articles by Jack Ruby, the man who killed President Kennedy's assassin while millions looked on. This is, he says, my story. The story serves to dispel much of the mystery and many of the shadows still surrounding Jack Ruby. And it serves to mirror the mind of a man who thrust himself into the midst of one of America's great national tragedies. Thus Jack Ruby—and what he says—is now part of history. But of more immediate concern to him is his pending trial for the murder of Lee Harvey Oswald, accused assassin, whose wife Marina believes he committed the shocking crime. What motivated Ruby is a question answered by him—for the first time—in today's opening article.

By JACK RUBY

(With William Read Woodfield)

I, Jack Ruby, shot and killed the murderer of our President, John F. Kennedy.

I am now in the Dallas County Jail, charged with murder with malice. The State of Texas demands that I be electrocuted for killing Lee Harvey Oswald.

NOT RECORDED

128 FEB 7 1964

The Washington Post and Times Herald _____
The Washington Daily News _____
The Evening Star _____
New York Herald Tribune _____
New York Journal-American _____
New York Mirror _____
New York Daily News _____
New York Post _____
The New York Times _____
The Worker _____
The New Leader _____
The Wall Street Journal _____
The National Observer _____
People's World _____
Date _____

JAN 28 1964

79 FEB 10 1964

44-24015

My fellow citizens are divided in their feelings toward me. Some of them regard me as a hero. Others are equally determined to see me die for my act. Wild rumor and dark speculation abound regarding me and the reasons I did what I did. Everyone, it seems, knows what should be done with me. Yet, until now, only my attorneys have known my story.

In effect, I am being praised and condemned by many who know nothing more than that on Sunday, Nov. 24, 1963, at 11:20 a.m., Central Standard Time, I did shoot and kill Lee Harvey Oswald.

What I Want You to Know

How? Why? Is what I want you to know. First, I swear to you that:

- I did not know the deceased, Lee Harvey Oswald, before he murdered President John F. Kennedy.

- I was not employed by anyone to "silence" Oswald.

- No one helped me do what I did.

- No one knew what I was going to do.

- I am not now, nor have I ever been, a Communist, a fellow traveler, a Communist sympathizer, or a member of any Communist or subversive organizations.

- I am not a member of the so-called extreme right-wing, nor do I support any extremist philosophy.

- I am not, nor have I ever been, a gangster, a racketeer, a hoodlum or an underworld character.

- I am not a white slaver, a panderer, a homosexual, a sex deviate, or a narcotics user.

I have, since Nov. 24, been accused or suspected of all these things and I swear that they are not true.

The FBI has questioned me at great length on all the points and I have volunteered to submit to a lie detector test, truth serum, or any other scientific means of determining the truth about any of these—or any other questions.

I feel sure that the FBI is satisfied that I am telling the truth. When their report is made public, I am confident that the facts as I now relate them to you will be verified without question.

Now the Deadly Weekend

The weekend that was to change my life started quietly enough. I spent the early morning hours of Nov. 22 in my nightclub, The Carousel. I did the "breaks" (announcements between shows) and only had to order one belligerent customer out of the club.

Someone mentioned that President Kennedy would be in Dallas in a few hours and I recall hoping that he would like our city and that nothing like what happened to Adlai Stevenson (who had been pushed and spat upon during a visit in late October) would happen to President Kennedy.

I opened the Dallas Morning News and saw a full page ad that said:

"Welcome Mr. Kennedy to Dallas." I thought to

myself, "Good, let's show him how much we love him."

But when I started to read the ad I knew it was no welcome at all. The ad said that Dallas had been penalized by Mr. Kennedy's Administration "for its non-conformity to 'New Frontiersmen.'" The ad said that Dallas had rejected the President's philosophy in 1960 "and will do so again in 1964—even more emphatically than before."

The ad then went on to ask the President a series of questions.

Why was Cuba under Communist domination? Why had he approved the sale of wheat to Russia? Why had he entertained Marshal Tito? Why had he "scrapped the Monroe Doctrine in favor of the 'Spirit of Moscow?'"

The ad was signed by The American Fact-Finding Committee, which billed itself as "an unaffiliated and non-partisan group of citizens who wish the truth."

"What's this all about?" I thought.

I showed the ad to my Master of Ceremonies, Bill Demarr. I was upset over it. I was sorry for Dallas that the Dallas Morning News would accept the ad and I hoped the Dallas Times-Herald wouldn't run it. (The Herald didn't.)

At 5 a.m. I closed up, counted the cash, put the receipts in my bank bag. I put my .38-calibre revolver in my right trouser pocket, as usual. I always carry my gun when I carry money. Sheba, my little Dachs-hund, and I went home.

I was in bed by 5:30. My last thoughts before going to sleep were, "How wonderful it is for Dallas that our President is going to visit us." I hoped the President didn't see the ad.

I wondered if the President and Mrs. Kennedy were bringing the children. I remembered a marvelous photograph of President Kennedy at his desk with little John-John crawling through a trap door in front of the desk.

A Black Border, A Strange Feeling

The President was looking off—to the right, I think—talking to someone and John-John was playing under his desk.

"He's not only a President," I thought, "He's a great human being."

Imagine a President being a father—a real father—to two lovely children. I felt, "He's my President... I love him." Then I fell asleep.

I woke up about 9:30 a.m. and had my juice, coffee and diet pills. I scanned the Dallas Morning News again and this time I noticed that the ad had a black border. A black border signifies death. It made me feel strange.

I called my sister Ev (Eva Grant, 54), to see how she feeling. Ev had been sick and was recovering from an operation and was still weak. She told me that the President had just made a speech in the rain in a Fort Worth parking lot and that he would be leaving for Dallas in a little while.

I asked her if she had seen the ad and she said she hadn't opened the paper yet. I told her to be sure to look at it—that it was a disgrace. I told Ev that I was going down to the Dallas Morning News to take care of the ads for the Carousel and would call her later.

Heard Someone Cry: 'The President's Shot'

I arrived at the Dallas Morning News building about 10:30 a.m. and chatted with two girls who work there about diets. I regularly supplied them with diet information—being a diet fiend—but with little profit to any of us. I wasn't losing weight and neither were they. A few minutes later I went up to the second floor to see John Noonan and work out my ad before the noon deadline.

It was just 12:30 p.m. and John and I had completed the ad when someone ran in to the room and said, "Somebody's been shot." Then someone else said, "A Secret Service man got shot." Someone else said, "Gov. Connally's been shot." Then someone else said, "The President's been shot."

Everybody went wild. The phones started ringing off the walls. I ran to the television. The UPI (United Press International) wires clicked out:

"Three shots were fired at President John F. Kennedy's motorcade today in downtown Dallas."

Then another person said, "Our beloved President has been shot."

Breathed a Prayer: 'Let Him Live, God'

I thought of the ad. I went to the phone and called Ev. She was hysterical. She was crying and screaming. I told her I'd call her back. Then (television commentator) Walter Cronkite said the President had been "seriously wounded."

"Thank God he's not dead," I thought. "Maybe it's just an arm or a leg—something superficial." I hoped. I said a prayer and waited and heard as the doctors tried to save his life, as the two priests gave him last rites and one of them said he was still alive.

My heart pounded as I waited. I wept and my mouth was dry. I was dizzy and faint.

"Let him live. Let him live. Please God, not this lovely President. Have mercy on him and his wife and his children."

All around me it was bedlam. It was a madhouse. Rumor, official reports, unofficial reports—they flew around the office.

"Let him live, God."

'Part of Me Died With the President'

But all the time I prayed—and think of the millions who were praying at the same time—our President was dead. At about 1:40 p.m. this statement came over the news wires:

"President John F. Kennedy died at approximately 1 o'clock Central Standard Time. He died of a gunshot wound in the brain."

That fine man was dead. A part of me died then, too. I could barely speak. I said to John Noonan:

"I'm going to have to leave Dallas because this town is ruined. The shooting of our President will destroy Dallas. Dallas is ruined."

I was myself a man who felt dead.

I called Ev again. She was hysterical, crying and wailing. She couldn't talk. I couldn't talk. I held the phone to John Noonan's ear so that he could hear Ev's grief. Ev said, "You'd better come here." I said, "I'll come." I told John Noonan my club would be closed and I left.

I went down in the elevator and left the Dallas Morning News. I was stunned. I started to cry and I left the building in tears. I felt like a nothing person. I felt the world had ended. I didn't want to live anymore. I didn't want to go on living.

I got back to the club about 2:15 and told Andy to call everybody and tell them we wouldn't be open tonight.

I called Al Gruber, a friend in California, to apologize for not having sent him a dog as I had promised I would.

Just Had to Hear Voice of Old Friend

I don't know why, and then, even though we hadn't seen each other for about a year, I called Alice Nichols (a Dallas secretary to whom Ruby has been engaged for about 11 years—on and off). I just had to call her—to hear her voice.

She was badly shaken and told me she had been in Nelman-Marcus (a Dallas department store) when the news broke. She said everyone was running out of the store and the store closed down.

The poor President was being flown back to Washington—his wife at his side.

Someone came in to sell me some merchandise. I told him I didn't feel like buying any merchandise. Some people! I was building up in my mind what a great President he was—what a great person he was. I didn't want to care any more. I called the people I felt close to—Dallas.

I called another sister, Eileen, the baby in the family, in Chicago. I was in tears. I told her how terrible I felt about it and I kept saying, "Oh, my God! Oh, my God!"

Went to Sister's, Carried \$2,000 Gun

I said maybe I'd fly up to be with the family and she said it isn't really necessary and asked how Ev felt and how she was taking the news. I told Eileen that she felt terrible and she said I should stay with Ev and she would call that night at 9 o'clock to talk to both of us. She did call and spoke to Ev but I had gone.

I called Eileen because, I don't know, I just had to speak to those close to me. I had \$2,000 in cash on me but I just couldn't go to the bank with it. There was too much commotion. I carried it with me. I also had my gun.

I went to the Ritz Delicatessen and bought \$10 worth of food, even though it's bad for me. I got dill pickles, smoked salmon and corned beef and went to Ev's.

The television was on. We cried and cried. "Why did they do it? Why did they do it?" I asked. "He was such beautiful man. Why did they do it?" We cried and cried. We grieved and watched television.

I saw the President's coffin as it was moved from the plane to the ambulance with Mrs. Kennedy at its side. I saw her husband's blood on her dress and stockings.

"My God," Ev said, and made the sign of the crucifix. I cried and thought, "that poor woman. Poor John-John and Caroline—without a father."

Saw Oswald on TV, Thought Others in Plot

They showed Oswald on television. I was sure that there was more than one person involved. I had no feelings about him at all. I never even thought of him.

Ev had since told me that

I was incensed at the ad. She said:-

"You brought me two papers—the Dallas Morning News and the Dallas Times-Herald. You looked at them, stared at them, studied them. You kept looking back at the ad and you said, 'Don't worry. There will be about \$2 million worth of ads cancelled in the morning.' You also told me that the Dallas Times-Herald had turned the ad down."

She told me a few days ago that I was "broken, baffled and depressed." She was, no better off. Ev heard "Fair Play for Cuba" mentioned on television and she became hysterical worrying about her son and granddaughter—convinced that this would be the start of World War III.

At about 5 o'clock I saw the re-run of the film of the President and Mrs. Kennedy arriving at Dallas' Love Air Field, just a few minutes before he was murdered.

Do you remember how he stopped at the rail or the fence and shook everybody's hand? I wish I had been there to shake his hand and tell him how much I loved him.

Don Saffran called. He's with the Dallas Time-Herald. He wanted to know since Autry's and he Cabana (two rival nightclubs) were going to close, would I be closed?

I said, "Don, I'm closed." Don said, "I don't know about

Saturday and Sunday. Abe and Barney (owners of the night clubs) don't know what to do." I said, "Well, I'm closing Saturday and Sunday."

I turned to Ev and said, "Money don't mean that much," I said to Don, "That means I'm closed tonight, Friday, Saturday night and Sunday night. Money don't mean that much to me. Out of respect to the President, I'm closing." I didn't know about the funeral being Monday so I didn't make any plans for Monday.

I called my physician, Dr. Coleman Jacobson (who, in recalling this call describes Ruby as "very emotional, sounded peculiar") to ask about services for our President. I said, "It's terrible, it's terrible." And Dr. Coleman Jacobson asked me what he could do for me. He wondered if I needed any medication.

What could he do for me? Could he restore the President's life?

Ev and I watched television. We saw the President's coffin arrive in Washington. We saw Mrs. Kennedy, still covered with her husband's blood, join him in the ambulance with the Attorney General.

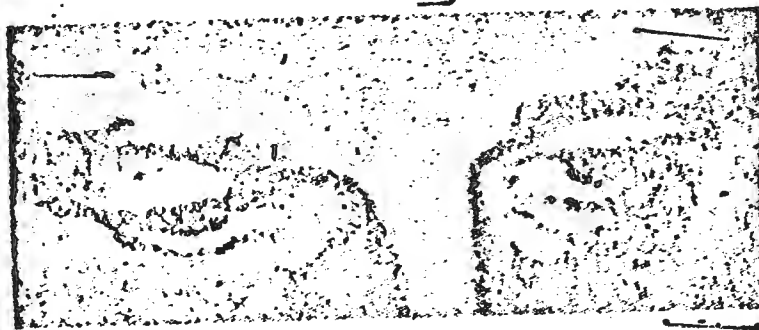
"My God," I thought. "How can she find the strength to tell those poor children?"

I became depressed again and could barely eat the scrambled eggs Ev cooked. Everything tasted of tears.

TOMORROW:

The 40 Fateful Hours

In tomorrow's article, Jack Ruby traces his movements during the 40 hours preceding his second and fatal confrontation with Lee Harvey Oswald. What thoughts ran through Ruby's mind, whose company he sought and the forces that drew him to Dallas' City Hall that fateful Sunday morning serve to mirror the mind and personality of the man who killed President Kennedy's accused assassin.



I AM NOT a Communist



I AM NOT a Right-Winger



I AM NOT a Hoodlum



MILLIONS SAW JACK RUBY DO IT . . . Dallas nightclub owner Ruby thrusts out his revolver and squeezes the trigger point-blank at Lee Harvey Oswald, President Kennedy's accused assassin, in the

basement of the Dallas police headquarters. The handcuffed prisoner cried out in agony before falling mortally wounded while millions of televiewers looked on in shocked disbelief.

Copyright 1963, The Dallas Times-Herald and Photographer Bob Jackson via AP Wirephoto

No Others Involved, He Says

Ruby Begins the Story Of Why He Slew Oswald

First of a Series

By Jack Ruby

With William Read Woodfield

I, Jack Ruby, shot and killed the murderer of our President, John F. Kennedy.

I am now in the Dallas County Jail, charged with murder with malice. The State of Texas demands that I be electrocuted for killing Oswald. I am being praised and condemned by those who know nothing more than that on Sunday, Nov. 24, 1963, in Dallas, at 11:20 a.m. CST, I did shoot and kill Lee Harvey Oswald.

How? Why? That is what I want you to know. First, I swear to you that:

1. I did not know the deceased Lee Harvey Oswald before he murdered President John F. Kennedy.

2. I was not employed by anyone to "silence" Oswald.

3. No one helped me do what I did.

4. No one knew what I was going to do.

5. I am not now, nor have I ever been, a Communist, a fellow traveler, a Communist sympathizer, or a member of any Communist or subversive organizations.

6. I am not a member of the so-called extreme right wing, nor do I support any extremist philosophy.

7. I am not, nor have I ever been, a gangster, a racketeer, a hoodlum or an underworld character.

8. I am not a white slaver, a panderer, a homosexual, a sex deviate or a narcotics user.

I have, since Nov. 24, been accused or suspected of all these things and I swear that they are not true.

The FBI has questioned me at great length, and I have volunteered to submit to a lie detector test, truth serum or any other scientific means of determining the truth about any of these—or any other questions. I feel sure that the FBI is satisfied that I am telling the truth. When the report is made public, I am confident that the facts as I now relate them to you will be verified without question.

Before I tell you about the approximately 48 hours from the time our beloved President was murdered until his killer was himself shot, let me tell you about Jack Ruby.

To be continued Wednesday.

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Belmont ☒
Mohr ☒
Casper ☒
Callahan ☒
Conrad ☒
DeLoach ☒
Evans ☒
Gale ☒
Rosen ☒
Sullivan ☒
Tavel ☒
Trotter ☒
Tele Room ☒
Holmes ☒
Gandy ☒

A-3
The Washington Post and Times Herald _____
The Washington Daily News _____
The Evening Star _____
New York Herald Tribune _____
New York Journal-American _____
New York Mirror _____
New York Daily News _____
New York Post _____
The New York Times _____
The Worker _____
The New Leader _____
The Wall Street Journal _____
The National Observer _____
People's World _____

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128 FEB 7 1964
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79 FEB 11 1964
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(Mount Clipping in Space Below)

Wade Aides Study FBI File on Ruby

U.S. Only Permitting Inspection

By JERRY RICHMOND
Staff Writer

Two members of Dist. Atty. Henry Wade's staff began a detailed study behind closed doors Tuesday of the FBI's massive report on the slaying of Lee Harvey Oswald by Jack Ruby.

The district attorney himself was expected to join his assistants, A. D. (Jim) Bowie and Frank Watts, later in the day in the search through several volumes of information for material for the Ruby murder trial.

It was believed the prosecuting attorneys were studying only one section of the three-part FBI report on the assassination of President John F. Kennedy and its aftermath. But the Ruby report alone comprises several volumes, which together are 1½ feet thick.

A stenographer accompanied the two assistant district attorneys as they entered the law library of the U.S. Attorney's office at 10 a.m. to begin their study of the FBI reports.

Earlier Tuesday Mr. Wade announced the FBI was opening its Ruby file to the inspection of the district attorney's staff, although stopping short of actually handing the file over to Mr. Wade.

"We already have the Dallas police file and everything that has been gathered locally in the Ruby case," the district attorney said.

Mr. Wade said he was primarily interested in the federal agency's evidence on the slaying of Lee Harvey Oswald by Ruby. He said the prosecution has not asked for FBI information on the assassination of President John F. Kennedy.

"Unless something connects Oswald with Ruby, we are not concerned with evidence on the assassination itself for the trial of Ruby," said the district attorney.

*File
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Mr. Tolson	_____
Mr. Belmont	_____
Mr. Mohr	_____
Mr. DeLoach	_____
Mr. Casper	_____
Mr. Callahan	_____
Mr. Conrad	_____
Mr. Felt	_____
Mr. Gale	_____
Mr. Rosen	_____
Mr. Sullivan	_____
Mr. Tavel	_____
Mr. Trotter	_____
Tele. Room	_____
Miss Holmes	_____
Miss Gandy	_____

(Indicate page, name of newspaper, city and state.)

13 "The Dallas
Times-Herald"
Dallas, Texas

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Edition:
Author:
Editor: Felix R. McKnight
Title:

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or
Classification:
Submitting Office: Dallas
☐ Being Investigated

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128 FEB 7 1964

79 FEB 10 1964

(Mount Clipping in Space Below)

Free Press Columnist Mark Beltaire Gives You an Inside Verdict of... Jack Ruby's Defender: Jokester or Genius?



Beltaire

Mark Beltaire, the Town Crier of the Free Press, has a get-together with attorney Melvin Belli whenever the famed King of Torts comes to Detroit. During the past several years he has had the opportunity to observe and hear at first-hand the lawyer who is defending Jack Ruby, the nightclub owner who shot down the accused assassin of President Kennedy. Today he passes on to you some of the stories he's heard from and about Belli, and gives you some impressions of the man.

A PLEASANT voice, SOME HEAT came into his from Dallas said: voice. "I'm ~~not~~ the pro-
"This is really the ecution will try to make a
hazel nut and pecan coun- chiatry," he said. "Down here,
try. These people buy they never heard of psycho-
everything at Nieman-Mar- motor or psychrometry tests,
cus except scientific books." or even of psychology or psy-
The speaker was Melvin chiatry."

Belli, who is counting al- He mentioned casually that
most completely on science at the hotel room of a defense
he leads the defense of Jack witness, Yale psychologist Roy
Ruby, a man who committed Schaffer, had been broken into
murder before millions of eye- during his last visit to Dallas,
witnesses as he gunned down and his briefcase rifled.

Lee Oswald, the accused as- How did Belli think the
sassin of President Kennedy emotional climate of Dallas

Belli had just left a court session in which he had been
attempting to have Ruby re- the trial? "I'm confident we
leased on bond. He gave up won't have to be concerned
the attempt when agree- with that," he said. "Our plea
was reached to give Ruby a for a change of venue will
extensive mental examination be heard Feb. 10 and I'm sure
it will be granted." Trial is
set for Feb. 17.

Of his clients: "This guy is
so nuts he could go in as head
of any insurance company.
But he's saner than most in-
surance treasurers I've
known."

A chuckle. "Say, how about
mentioning my latest book,
"Belli Looks at Life in Russia?"
It probably won't sell here,
but since I'm getting such a
small fee, I'm going to need
all the royalties I can get."

NOW, WHAT SORT of man
is this Belli (he makes an
estimated \$300,000 a year)—
charlatan or attorney of deep
conviction, gouger of insurance
companies and physicians or
crusader for the little guy?

Has he slipantly taken over
what could be the most closely
observed murder trial in our
history for the sake of the
limelight, or does he fully
believe in RUBY's fight to a
solid defense?

Mr. Tolson _____
Mr. Belmont _____
Mr. Mohr _____
Mr. Casper _____
Mr. Callahan _____
Mr. Conrad _____
Mr. DeLoach _____
Mr. Evans _____
Mr. Gale _____
Mr. Rosen _____
Mr. Sullivan _____
Mr. Tavel _____
Mr. Trotter _____
Tele. Room _____
Miss Holmes _____
Miss Gandy _____

(Indicate page, name of newspaper, city and state.)

1C Detroit Free Press
Detroit, Mich.

Date: 1/26/64
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Author:
Editor: Lee Hills
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Classification:
Submitting Office: Detroit

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79 FEB 10 1964

Although this is his first major criminal trial (he handled some cases early in his career), Belli's solid reputation as a brilliant, painstaking attorney was built over 30 years in the personal injury field.

I FIRST MET Belli when he came to Detroit in 1955 on a double-barreled mission.

He was to address a regional meeting of the National Association of Compensation Claimants' Attorneys, and he was also honeymooning with his third wife, Joy, a former stewardess for Flying Tiger Airlines. He's been here several times since, now speaks proudly of his seven-year-old son, Caesar.

Then as now, Belli was an exciting person. His thick hair was beginning to turn to the full silver it is today. He was poised, confident, much the center of attraction.

He was an easy, not overbearing talker, emphasizing conversational points with sharp jabs of the horn-rimmed glasses that were more often off than on.

Conversation was filled mostly with anecdotes concerning the major work of his life, achieving the "adequate award" for clients in personal injury cases.

HIS OWN FAVORITE story concerns an adversary who destroyed himself by his own carelessness and sloppy preparation.

Belli represented a young lady injured in an accident. She would never be able to walk again. He demanded large damages.

At this point, opposing counsel brought in a projector and showed a film of the girl playing tennis, swimming, riding, plus the affidavit of the investigator who took the movies.

At the conclusion, Belli rose and turned toward his smug opponent. "Thank you so much for those pictures," he said. "They've shown most graphically some of the joys my client will never be able to experience again. That girl is her twin sister."

His forte is "demonstrative evidence." The introduction into a courtroom of such exhibits as an artificial leg, a skeleton, even a brain in alcohol to vividly prove a point. His case preparation includes backgrounds in medicine and chemistry.

His critics rail, but Belli says mildly: "There is no law against interesting a jury."

Yet, I have three LP records he has made containing the openings and summations of three of his most famous trials, and they are models of low-pitched logic, each bringing home a telling point with a finger tap rather than a sledge hammer.

The records were made for the benefit of the Belli Foundation, devoted to aiding young trial attorneys.

DESPITE the judgments Belli has obtained against insurance companies, Marcellus Verbles, a top Detroit insurance man who's known him for 10 years, has this to say:

"Belli is a man of integrity. He is fair. I know of at least one case involving malpractice charged against a Detroit hospital in which he could have rushed in like Galahad and probably gotten a larger verdict. But the attorney he appointed to represent his client here told him the settlement out of court was equitable, and Belli agreed."

"In many cases, the insurance companies themselves are to blame for not defending themselves better. When they are up against an able and sophisticated opponent, it's up to them to provide themselves with similar talent."

"As for his interest in the Ruby case, I think he is entirely sincere."

BELLI HAS never been known to duck away from publicity, but he shies in mock agony from being called "flamboyant."

"Just make me colorful," he pleads.

Much was made of his dash into Dallas wearing cowboy boots, but he has worn them for years.

He wore them into Detroit, in fact, in 1953 when he came here to assist attorney William Weinstein in a matter involving a man pulled off a stool by a drunken wrestler in the bar of the then Detroit Hotel, now Caravel Hall.

It was settled out of court, and Weinstein will never forget Belli fondly patting the brand new Caravel he picked up here, and turning to him and saying: "You see, son, this is what happens."

But, by the same token, he also told a Wayne University law class: "The trial lawyer is the backbone of the legal profession. Two ingredients of a good trial lawyer in court are sincerity and humility."

BELLI IS GIVEN the credit for almost single-handedly raising the average jury awards in injury cases by 266 per cent over the last 10 years, to the agony of insurance companies everywhere.

Detroit attorney Irving Kroll says the loss of a leg that brought a judgment of \$5,000 in Michigan in 1949, now would probably bring \$35,000, and "the verdict would not shock anyone's conscience."

Belli took a year out of his own practice, stamping the country to persuade compensation and personal injury attorneys to merge their forces in the interests of their clients.

He headed the National Association of Compensation Claimants Attorney in 1952, and gave a series of lectures here that Detroit attorneys say actually started him on the way to acquiring his title of King of Torts. A tort, incidentally, is a civil wrong independent of a contract.

Before every NAACA convention, Belli holds an avidly attended seminar, open to insurance company lawyers as well as NAACA. He is moderator and catalyst, and no claims attorney would be without the bound volume in his office.

Belli has written more than 80 books on law, plus editing nine volumes of more than 1,000 pages each.

MELVIN BELLI, attorney at law.

What kind of a man is he? I guess it depends on what side of the courtroom you're sitting.

The Defender



AP Photos

Melvin Belli

"There is no law against interesting a jury."



Bell (right) with Ruby (center) and attorney Joe Tonnehill

WHY HE KILLED KENNEDY'S ASSASSIN--WOULD HE DO

IT AGAIN?

Coming Tuesday - Jack

Ruby Himself Tells His

Own Strange Story

The N. Y. Journal-American has bought the exclusive rights to Jack Ruby's own story. The public disclosures of his entire story for the first time will serve as the mirror of a man who thrust himself into the greatest tragedy ever to strike at the heart of the United States. By shooting Lee Harvey Oswald, the accused assassin of Presi-

dent Kennedy, before dozens of witnesses and millions of televisioners, Jack Ruby became part of history. At the very moment he pulled the trigger of his revolver and sent a bullet into Oswald's body, Ruby ceased to be an obscure Dallas nightclub owner. Instead, he became the third man in a tragic triangle; a man now

charged with murder. Why he chose this role, what motivated him to take vengeance on the President's accused slayer, are questions which thus far have not been answered adequately. In bringing his story to the public, this newspaper hopes to dispel much of the mystery and many of the shadows that still surround Jack Ruby.



JACK RUBY

Belmont ☒
Mohr ☒
Casper ☒
Callahan ☒
Conrad ☒
DeLoach ☒
Evans ☒
Gale ☒
Rosen ☒
Sullivan ☒
Tavel ☒
Trotter ☒
Tele Room ☒
Holmes ☒
Gandy ☒

Harris

Bishop
Pete

The Washington Post and Times Herald _____
The Washington Daily News _____
The Evening Star _____
New York Herald Tribune _____
New York Journal-American 1-2
New York Mirror _____
New York Daily News _____
New York Post _____
The New York Times _____
The Worker _____
The New Leader _____
The Wall Street Journal _____
The National Observer _____
People's World _____
Date _____

44-24016

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128 JAN 29 1964

JAN 26 1964

JAN 30 1964

King of Torts Has Flair for The Colorful

By LARRY GROVE
News Staff Writer

DAPPER, COLORFUL, internationally famous Melvin Mouron Belli, at 56, has grown accustomed to the spotlight. He is seldom outside it. He sees to it that he is not.

And, perhaps more than ever in his successful 31-year legal practice, Belli will make headlines next month in Dallas. He'll head the defense of Jack Ruby, the nightclub operator who shot the accused assassin of the President of the United States.

Dallas saw a preview of Belli's style in a bond hearing last week. Belli lost the round; Ruby remains in jail, at least until a change of venue hearing scheduled Feb. 10.

But Belli's flair for the colorful was unmistakable.

And so was another bold fact: If Ruby is judged sane, as Dist. Atty. Henry Wade contends, a great legal battle is in store before the defense rests.

CONFIDENT, eloquent, Belli looks the part of the King of Torts. That is the name given him for his success in famous damage suits.

His full head of silver-streaked hair, his stride, indeed his every gesture, contribute to his legend.

His face is the face of an actor; he might have been equally successful doing Shakespeare on stage. His voice booms or stabs when he rages. Or it may plead in soft, piercing logic in a courtroom. He laughs with zest that shakes his massive body, like a man who appreciates a good story.

And he's a master story teller himself.

His critics may say that he dresses like a dandy: His clothes are styled by Prof. Antonio Santomauro in San Francisco. And Belli is seldom without his black over-the-ankle Congressional gaiters, made in San Antonio. ("I wear them even when I'm in white tie and tails," he says.)

Associates say his expensive clothes certainly aren't out of line with either the Belli personality nor with the kingly surroundings in which he lives.

His red-carpeted quarters occupy the entire top floor of a four-story building atop San Francisco's Telegraph Hill. An expanse of glass allows a 280-degree view of San Francisco and its bay, and the mood of the view changes with the hours of the day and night.

TOP CLIPPING

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Dallas News

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BELLI MAINTAINS a killing schedule of trying cases, lecturing, writing. (His latest book, "Belli Looks at Life and Law in Russia," is selling well in Dallas.)

His clients have included Mae West, the gambler Mickey Cohen, and Beverly Aadland, Errol Flynn's protege. And many others.

He once took the case of Horace Fong. Not at all famous at the start, Fong was—as his name may suggest—Chinese.

Fong complained that real estate men in Oakland were depriving him of a right: They wouldn't rent an apartment to him.

Belli found four little-known decisions in which California courts had ruled that Chinese people were, in fact, Indians.

And he fired his legal arrows with gusto: "Either my Indian, Mr. Fong, gets that apartment or he will shoot your deer. He won't pay his taxes. He will do everything he is allowed to do—but he won't drink whiskey, which an Indian cannot do under the law," Belli needed.

The real estate men said they'd welcome Horace Fong into their apartment building.

"You will also give a dinner in his honor," Belli insisted.

Reluctantly, they said they'd be happy to do that, too.

But Belli was never one to hide his success once the headlines were spelling his name right. He helped organize a restaurant called "Fong's Iroquois Village."

"Organize" is hardly the word; the Iroquois Village had all the confusion of the fabled Chinese fire drill.

Within six months, the Village bit the dust. Belli dropped \$100,000 in the venture. The wound in his wallet today has healed.

HIS WIFE, Joy, is a curvy blue-eyed California native and former airline stewardess who would pass for a Swedish movie actress.

She accompanied Belli on his latest trip to Dallas, as she does on many of his frequent travels to lecture or defend clients. ("That's the only way we can have a life together," says the former Joy Turney, Belli's third wife. "I spent my honeymoon on a lecture tour. To this day, I try to avoid serving the lecture tour fare, roast beef, potatoes and peas . . .")

"What is Mel like? He likes garlic. He visits courthouses wherever he goes. He likes to walk. He never rides if he can walk . . ." she says.

At home, Belli is keen for trying his hand with recipes. Any talk of food usually finds him exchanging a recipe for one he doesn't have.

BELLI'S FOREBEARS were pioneer Nevada and California stock. His father's parents arrived in Nevada after the gold rush. His father was a banker in Sonora, Calif., where Melvin Mouron Belli was born, July 29, 1907. His grandmother was California's first woman druggist.

Belli's appreciation of early western history is reflected in one of his buildings: Caesar's Annex. Built in 1849, it is the oldest San

San Francisco building except the Presidio. Bottomed on ~~rotten~~ logs floating in muck, the building now is named for, and held in ownership of, Belli's six-year-old son, Caesar.

One accoutrement in the building is an ancient trapdoor. The trapdoor used to drop in the lusty days when the Barbary Coast ran high, wide and handsome. And its victims found themselves working on ships bound for China.

THE OFFICE is downhill from the Belli residence. Belli walks down to the 3-story office early each morning; he is usually at his desk by 6:30 a.m.

Spectacular street lamps from Copenhagen, once glowing with gaslight, surmount the gateway to the office building that is accented with fancy wrought-iron grillwork in black and gold from New Orleans. The Belli office, with chandeliers and artifacts collected from all over the world, could be compared to a museum.

Two of Belli's favorite topics are the lack of public recognition of American court procedures and the responsibility lawyers have in defending the accused, no matter how unpopular their cause.

"Criminal law professors give some wonderful speeches that everyone is entitled to good counsel.

"But offer it and you get your tail bit off," Belli said.

He said criminal law in the schools is "going down the drain, cut to half a semester."

And what, in his opinion, are the hardest cases a lawyer gets?

"That's easy. Divorce. Figure the time you must spend, listening, counseling, on the telephone, and the lawyer doesn't make as much as a day laborer . . ."

BELLI RECALLED that he lost his first case. Back in 1933, he became a transient to gather material for a report on the legal rights of transients.

"I'd beg; I'd be thrown into jails—things like that . . ."

"In San Diego, I asked for a jury trial. They said 'How about that? Slim, here, wants a jury trial! Tell him to wait until December and we'll arrange a jury trial.'"

It was July at the time.

Years later, he received the fingerprints police made at the time. They're framed in Belli's San Francisco office, where his firm maintains a staff of 23.

Another 15-member law branch is in Los Angeles. "And then we have enough for a Pastrami parlor in Rome, and a noodle main-tainer in Tokyo . . ."

ONE OF BELLI'S favorite traveling companions is a human skeleton, known to courtroom spectators over the country as "Elmer."

Belli brings Elmer to court to demonstrate his appeals in personal injury cases.

He said he will have no need for Elmer in the Jack Ruby case.

Elmer will remain in Belli's basement stock of props that include a plaster torso with veins and arteries marked. There's also X-ray equipment to make pictures that, from a certain long interest in medical topics pertaining to court cases, Belli reads.

All this equipment and his colorful defense of clients with whatever legal means at hand have brought occasional criticism of Belli's action in court: too circusy.

Belli said he could get recommendations from any judge who has ever seen him work.

In view of all this, it is certain that Jack Ruby will have strong counsel when he goes on trial for his life.



Melvin Belli . . . at home in the spotlight.

(Mount Clipping in Space Below)

Wade: Grins In Addition To Granite

By KENT BIFFLE
News Staff Writer

THE NAME is Wade. Henry Menasco Wade from Squabble Creek. He's a man of parts—one grinning, one granite.

Those who see the grinning side of his nature have a habit of voting for him. Those who see the granite side don't always get over it.

As Dallas County district attorney for the past 13 years, he has personally sent a score of men to the electric chair. But Wade sleeps well.

"They all deserved it."

A slugger like Wade had to come from a place named Squabble Creek. It was on the banks of that stream in Rockwall County that Henry Menasco Wade Sr., a jurist, built a homesite and a family of 11 kids.

Half a dozen of them—adding weight to the geographical appellation—became lawyers.

Henry Wade, the younger, says, "It seems to me that I heard once that Menasco was supposed to be an Indian name—the name of an Indian princess or something. But I'm not sure."

At any rate, Wade, whose mother was of Scotch-Irish ancestry and whose father was of English-German antecedents, has grave doubts that there ever really was an Indian princess in the family.

Wade grew up reading Dickens and Hugo and playing football for Rockwall. He got state-wide recognition as quarterback and captain of a powerhouse team in 1932.

IN 1933 he was valedictorian at Rockwall High School. That year his dad dug up \$35 in depression money, gave it to him and packed him off to the University of Texas. The \$35 was all he got.

Five years later, Henry Wade, the younger, returned to Rockwall with a law degree and \$1,000.

How did he do it? University officials arranged for Wade and other football players to work as table waiters. He got \$50 a month. Then, the second year, he was red-shirted by coaches who wanted more weight on his 175-pound frame.

Wade found he could spend the same number of hours working as a student librarian and make \$35 a month. He forgot about football and started a savings account.

Wade was president of the law school during his final year at the university and he wrote for the Law Review.

He was a classmate of John Connally, now governor of Texas.

Tolson _____
Mr. E. A. Tamm _____
Mr. Clegg _____
Mr. Glavin _____
Mr. Ladd _____
Mr. Nichols _____
Mr. Rosen _____
Mr. Tracy _____
Mr. Carson _____
Mr. Egan _____
Mr. Gurnea _____
Mr. Harbo _____
Mr. Hendon _____
Mr. Jones _____
Mr. Mumford _____
Mr. Quinn Tamm _____
Mr. Nease _____
Tele. Room _____
Miss Holmes _____
Miss Gandy _____

(Indicate page, name of newspaper, city and state.)

8 "The Dallas
Morning News"
Dallas, Texas

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128 FEB 10 1964

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Editor: Jack B. Krueger
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or
Classification:
Submitting Office: Dallas
☐ Being Investigated

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64 FEB 1 1964

Jack O Ruby

IN 1939, Wade served as Rockwall county attorney while waiting to be accepted as an agent of the Federal Bureau of Investigation.

Special Agent Wade later helped crack one of the Bureau's biggest spy cases—the rounding up of 33 German spies involved in a plot in New York City to steal plans for the Norden bombsight.

That story was made into a dramatic movie called "The House on 92d Street." Wade, who appeared in some courtroom film clips used in the movie, said, "It was really on 42d Street."

Wade spent a couple of more years with the FBI in Boston, Baltimore, Washington and South America. Then he joined the Navy.

Wade, a lieutenant junior grade, served on the USS Hornet during the invasion of the Philippines. Later he left the carrier for the USS Panamint, command ship for the invasion of Okinawa.

Wade knew he wanted to be Dallas County district attorney when he got out of the Navy. He was defeated by Will Wilson in his first race for the post. But in 1950, Wade won. He took office on Jan. 1, 1951, and has held it ever since.

For most of the public, Wade was an unknown quantity until Aug. 20, 1951, when a wealthy man named Thomas Doswell was shot to death on the parking lot of the Melrose Hotel.

Wade placed the victim's widow, Mrs. Rebecca Doswell, on trial for murder. Everybody said, "You can't put a million dollars in prison." But Wade did.

She got a life prison term.

ONE OF THE MOST celebrated cases of Wade's administration was the conviction and 2- to 10-year prison sentence of Dallas promoter Ben Jack Cage.

Justice was thwarted, however, when Cage, accused of embezzling \$100,000 while head of ICT Corp., fled to Brazil after he was freed on an appeal bond in 1957.

Wade became a national figure last November after President John F. Kennedy was murdered and Wade's long-time friend Gov. John Connally was wounded during a Dallas motorcade.

The district attorney announced he would demand the death penalty for Lee Harvey Oswald, chief suspect in the shooting of Kennedy, Connally and Dallas Policeman J. D. Tippit.

Wade was blocked from trying Oswald. Nightspot owner Jack Ruby gunned down Oswald in the basement of the Dallas police station.

For shooting the handcuffed prisoner, Ruby now faces Wade in a life and death legal struggle.

WADE IS ASKING for a death sentence against Ruby. A battery of legal talent is arrayed to defend Ruby.

The eyes of the world are on Wade as he now approaches his biggest case. Publicity from this trial could launch Wade toward any political office he might desire.

"The truth is," said Wade, "that I'm not interested in any political office but this one. Oh, I'd be glad to accept a federal judgeship. Anyone would. I mean I'm not thinking of running for state office."

An acquaintance said, "The reason he doesn't want the state of-



—Dallas News Staff Photos by Tom C. Dillard.

Henry Wade . . . part grin, part granite.

face is because he hates to spend even a single night away from home."

Home is a pretty wife named Yvonne, three daughters, Lynda Michele, 13, Wendy Gale, 6, and Bari, 2, plus two sons, Kim, 11, and Henry, 8.

WADE MET Yvonne Hillman before he became district attorney. But he was already headed in that direction.

She remembers their first date. "It was a VFW dance. I passed out campaign cards all evening."

Wade likes to play with the kids. On holidays he takes them to his 20-acre farm near Wylie where they can ride a 16-year-old Tennessee walking horse named "Pat."

Yvonne said that during their married life on perhaps only half a dozen Saturday afternoons has Henry Wade failed to play dominoes. "He's in another world when he plays dominoes," she said.

On his desk is a gold trophy awarded him by some of his domino buddies. It's in the shape of a domino and bears the legend: "To the world champ who never kills the double six in his partner's hand."

Wade chews up three cigars a day. Once a month he lights one.

THE DISTRICT ATTORNEY stands five-foot-ten. When his weight climbs above 200, he tries to eat less.

He plays golf in the middle 80's. And he says he likes to hunt.

Yvonne says he likes to go on deer hunts in order to play more dominoes. She has an example of this on film.

After 93 games of dominoes on one particular hunt, the cook rushed into the cabin and yelled that a big buck was standing at the edge of the clearing outside.

Everybody else had his limit. They insisted that Wade go out and bag the buck. Reluctantly, Wade got up from the domino table, fetched his rifle and went outside.

He'd fired a dozen shots at the unmoving, defiant animal before he discovered that it was a stuffed deer. The worst part was that the pranksters made movies while Wade blasted away.

Wade is hoping he'll be able to finance his five children through college.

Paid \$18,000 a year, the district attorney said it's impossible to save any. A member of his staff said, "You can't imagine the demands made on that guy . . . flowers for funerals . . . donations for every kind of drive you could imagine."

Last year Wade turned down a couple of \$30,000-a-year jobs. There was a rumor earlier that he would resign his county post on Jan. 1. But then the Oswald and Ruby cases came along and he couldn't step out. Wade doesn't talk about it.

WADE SUFFERS from hay fever. Otherwise he's in good health. "Sometimes I think I have sleeping sickness," he yawns. He goes to bed early when he can—often 8:30 p.m.—but likes to rise before dawn.

"He has a habit," said an associate. "When he bumps into a problem he can't answer—maybe nobody can answer it—he calls in Lawyer A from his staff.

"He asks Lawyer A to study the problem. Then, without telling A, he asks Lawyer B to dig up an answer to the same problem. In like fashion, he invites Lawyer C to work on it.

"Then he calls them all in his office and gets the answer from each and use them to form his own answer."

"He's the best at sponging somebody else's mind I've ever seen. That's the wrong way to put it. But it's a talent with him."

WADE HAS 42 assistant district attorneys and a total staff of 80. He has an annual budget of \$400,000—more than paid for by nearly \$700,000 in fines assessed through his office's efforts.

In his 49 years, Henry Wade has built a reputation for being . . . well . . . duty-bound.

"I'd be afraid to drink a glass of light wine and then drive to the drugstore," admitted his wife.

"If the police stopped me, I know what Henry would say."

(Mount Clipping in Space Below)

Judge Says Hospital Refuses Him on Ruby

By CARL FREUND

Judge Joe B. Brown said Thursday that the Parkland Hospital board chairman rejected a personal appeal that it accept Jack Ruby.

Judge Brown said he called Ed Maher, chairman of the Dallas County Hospital District board of managers, and asked him to let Ruby undergo tests at Parkland. "He told me they didn't intend

to have anything to do with Ruby," Judge Brown said.

Asked why Parkland rejected Ruby, Maher replied:

"We put the welfare of our patients first. It could prove upsetting to our patients, and to the hospital routine, to have Ruby there. They would need a heavy security guard and this could disrupt things."

Judge Brown and attorneys agreed Tuesday that Ruby should

receive "brain wave" and blood tests before he stands trial on a charge of murdering Lee Harvey Oswald, who had been accused of assassinating President Kennedy here.

The agreement also provided for a spinal tap and skull X ray.

Judge Brown said he believed the tests would not disturb other patients or disrupt hospital routine.

"I can't make them take him," the judge said. "I don't have the power. If I did, I wouldn't have the problem of finding a hospital willing to accept him."

Doctors estimated Ruby would spend about 36 hours in the hospital.

Judge Brown said Wednesday that deputies may transfer Ruby to another county for the tests if hospitals here stand firm in refusing to accept the 52-year-old slayer.

One possibility is Peter Smith Hospital in Fort Worth. Operated by the tax-supported Tarrant County Hospital District, it has a security wing. Another is John Sealy Hospital in Galveston.

(Indicate page, name of newspaper, city and state.)

1 "The Dallas Morning News" Dallas, Texas

Date: 1-24-64
Edition:
Author:
Editor: Jack B. Krueger
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Submitting Office: Dallas
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(Mount Clipping in Space Below)

GROUP SEEKS FUNDS FOR RUBY'S DEFENSE

A committee to raise funds for the defense of Jack Ruby was formed yesterday. Ruby is the slayer of Lee Harvey Oswald, the accused assassin of President Kennedy.

The committee, called the Jack Ruby Defense Fund Committee, was set up by Ruby's brother, Hyman Rubenstein of Chicago.

Other members are Michael Levin, also of Chicago, the Rubenstein family attorney, and Barney Ross of New York. Mr. Rubenstein said that Mr. Ross was the former prizefighter. Mr. Ross was not available for comment last night.

Mr. Rubenstein said that the family needed money to help defray the costs of attorneys and to help pay for the psychiatric experts who have been flown to Dallas.

The committee's first public appeal for funds was made in an advertisement appearing today in The New York Times. It asked that funds be sent to Post Office Box 5226, Chicago 80, Ill.

The names of Mr. Rubenstein, Mr. Levin and Mr. Ross and their addresses were included in the advertisement.

(Indicate page, name of newspaper, city and state.)

57 NEW YORK TIMES

Date: 1/24/64

Edition: LATE CITY

Author:

Editor: TURNER CATLEDGE

Title: JACK LEON RUBY wa
LEE HARVEY OSWALD-VIC

UNDER INVESTIGATION

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Ruby Clubs Face Loss Of Permits

Police Chief Asks State to Withdraw Licenses on Liquor

By JAMES EWELL

Police officials have taken steps aimed at cutting off a source of revenue to the two Dallas clubs of Jack Ruby by having their beer and wine permits canceled, an inquiry by The Dallas News disclosed Thursday.

Within a week after Ruby shot and killed accused assassin Lee Harvey Oswald, Police Chief Jesse E. Curry—at the urging of the vice squad commander, Capt. Pat Gannaway—asked the Texas Liquor Control Board to cancel liquor permits granted the Carousel Club, 1312½ Commerce, and the Vegas Club, 3508 Oak Lawn.

Curry's request was outlined in a letter to James E. Dale, TLCB agent-in-charge here.

The request was referred to TLCB administrator Coke Stevenson Jr., in Austin.

The police chief's letter noted the slaying of Oswald by Ruby Nov. 24 and added: "The criminal action pending against Jack Leon Ruby and the circumstances surrounding the criminal action indicates that Jack Leon Ruby is not of good moral character, nor is he a peaceable and law-abiding citizen."

Ruby is listed as the licensee of the Vegas Club and a vice-president of the S & R Corp., owner of the Carousel.

Capt. Gannaway, who recommended the cancellations, said the action was not one of revenge, but followed long-standing police policy.

"There is nothing unusual about this; it's just a control we take to keep down the number of incidents that could occur in these places," Gannaway said.

Liquor licenses are at stake, Gannaway said, any time a serious offense involves the licensee or occurs on the premises.

Currently on appeal to the City Council is a police order canceling the dance hall permit to the Vegas Club, managed by Mrs. Eva L. Grant, Ruby's sister.

A hearing on the appeal has not been set by the city attorney's office, police said.

A beer license renewal comes up for the Carousel Club on Tuesday before County Judge Lew Sterrett.

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Ruby Emotional Rabbi Testifies

Jack Ruby, who shot down Lee Harvey Oswald as he stood manacled and helpless, showed "a tremendous love" for dogs and even went so far as to refer to them as "my children."

That was the testimony Tuesday of Ruby's rabbi, who described the 52-year-old murder suspect as extremely emotional.

Defense lawyers called Dr. Hillel E. Silverman, rabbi of Congregation Shearith Israel, to the stand in Criminal District Court No. 3 before dropping attempts to free Ruby on bond.

Dr. Silverman, who has known Ruby 10 years, termed the slayer "quite emotional and at times unstable."

Dr. Silverman told of visiting Ruby in his county jail cell.

The rabbi said he found Ruby upset over trivial matters.

"He becomes most emotional," Dr. Silverman said. "Tears well up and he talks rapidly."

Dr. Silverman said Ruby frets over the welfare of his dogs while he is held behind jail bars.

"He feels toward his dogs as a father would feel toward his children," Dr. Silverman continued.

He recalled a conversation in which Ruby told him, "I'm not married and I have no children. These (his dogs) are my children."

Dr. Silverman described Ruby as a man of varying moods, calm one moment and extremely excited the next. Referring to Ruby as "incoherent at times," he said the slayer would change the subject of a conversation in the middle of a story.

Dr. Silverman told how Ruby approached him after a memorial service for President Kennedy the night of Nov. 22.

He came up to me with tears

in his eyes," the rabbi related. "I knew he wanted to say something and I supposed it was about President Kennedy. He surprised me by thanking me for visiting his sister (Mrs. Eva Grant) while she was in a hospital."

On another occasion, Dr. Silverman said, Ruby sought help in effecting a reconciliation after an argument with his sister.

Replying to a question by Assistant Dist. Atty. William F. Alexander, Dr. Silverman said he had not suggested that Ruby "should be sent to a mental hospital." The rabbi added, however, that he did believe Ruby needed consultations with a psychiatrist before the assassination.

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ASSASSINATION

Ruby Sheds Tears At Talk of Event

Jack Ruby wept in a courtroom here Tuesday as he described his reaction to the assassination of President Kennedy.

Ruby broke into tears during an impromptu press conference after deputies led him into Criminal District Court No. 3 for more testimony in his bond hearing.

The balding nightclub manager told reporters he was "more remorseful than angry" when he shot Lee Harvey Oswald after Oswald had been accused of assassinating the President here.

"Anger is not in my vocabulary," Ruby said. "I am not an angry man. I was more remorseful than angry."

A REPORTER suggested that Ruby describe his feelings when he learned President Kennedy had been shot.

Ruby's face contorted. Tears welled in his eyes.

"I can't understand how a great man like that could be lost," he said in a voice barely audible.

Defense lawyers ended the interview at this point.

Before losing his composure, Ruby said:

—He never saw or talked to Oswald before the 24-year-old Marxist shot President Kennedy.

—A 1959 trip to Cuba, where Fidel Castro had seized power, was "only a vacation."

A NEW YORK psychiatrist, Dr. Walter Bromberg, quoted Ruby as saying he expected to "make a quick dollar" by selling merchandise to Communist Cuba. Dr. Bromberg said Ruby stated this was the reason for the Cuban trip.

Asked about the psychiatrist's testimony, Ruby became agitated.

"That is a fabrication."

Then, gaining control of him-

self, Ruby continued:

"I went to Havana on a vacation for a few days with a friend (C. J. McWillie, a former gambler in the Fort Worth-Dallas area). I stayed in his apartment."

DEFENSE LAWYERS interrupted to emphasize that, although Castro was in power, the United States remained on friendly terms with Cuba at the time.

"We were in harmony with them," Ruby said. "Jack Paar was down there and, I think, maybe Ed Sullivan."

Apparently referring to agents of the Cuban government, Ruby said, "They interrogated me as though I was against them. They've got a little Gestapo down there."

Ruby conceded he considered selling "civilian goods . . . various things . . . enriched earth and things like that" to Cuba.

"It was a new country and I saw an opportunity to get out of the beer business," he said. (This was a reference to his night clubs.)

RUBY SAID he tried to contact a man friendly to the Castro government, but never actually negotiated to sell goods to Cuba.

Ruby appeared nervous and jittered as he sat in the courtroom Tuesday.

When Assistant Dist. Atty. William F. Alexander described him as "a proper candidate for the electric chair," he frowned and fidgeted with his necktie.

Later he scratched his ear, rubbed his face with his palm and twisted nervously in his courtroom chair.

A smile, which Ruby wore when he sat in the same courtroom during an earlier bond hearing, was gone.

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Belli Urges 'Education' On Courts

Melvin Belli, chief defense counsel for Jack Ruby, Tuesday called for a better understanding between the courts and the layman so as to create more respect for legal processes.

Speaking before a luncheon meeting of the Dallas Criminal Bar Association in Hotel Dallas, Belli said the layman "must be taken into our courtrooms, into our counsel" so he can understand what goes on during trial proceedings.

He said this was not a recommendation for wholesale television coverage in the courtroom although he admitted that to some extent such coverage might be justified.

Although not referring specifically to Ruby's case, he said big cases must rely on other news media to communicate the court happenings to the public.

"But on the other cases (of lesser importance) we should bring the public into the courtroom," he said, not specifying the use of television cameras or how this should be done.

"The more knowledge and understanding we, as lawyers, can impart to the laymen about what we are doing in the courtroom, the more respect they will have for the court and legal proceedings."

He said that movies and television programs, although they have excellent writers, tend to give a stilted and wrong impression of trial lawyers.

"So this is really a plea for lawyers to be trial lawyers," he said, noting the difference between the attorneys who go into court and argue cases before juries and those who handle other legal matters, or, as he termed them, "office lawyers."

He said too many young lawyers who do not know enough about the "history of common law" are graduated from law schools across the nation. He termed their education, which he said turns out more accountants than lawyers, "too commercial. It tends to amputate us from our great profession."

"The law is teamwork," he said. Teamwork between attorneys for both sides and the judge.

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—Dallas News Staff Photo.

His fists clenched, Assistant Dist. Atty. Henry Wade sat at the prosecution table Tuesday during the Jack Ruby bond hearing.

Arguments Set Feb. 10

On Ruby Venue Change

Defense Lawyers Drop Bond Effort

By CARL FREUND

Judge Joe B. Brown announced Tuesday that he will hear arguments Feb. 10 on a defense request that he transfer the Jack Ruby murder trial to another county.

Judge Brown also announced that Ruby will stand trial Feb. 17 in Criminal District Court No. 3 if the request is denied. If Judge Brown grants the venue change, the judge of the new court will set a trial date.

The judge's announcement came after Ruby's lawyers dropped attempts to free the 32-year-old slayer from the county jail.

Ruby has been held without bond on a murder charge since he shot Lee Harvey Oswald while millions watched on television Nov. 24.

Oswald had been accused of shooting President Kennedy, Patrolman J. D. Tippit and Gov. John Connally two days earlier.

Three Doctors Chosen

Judge Brown told reporters in a brief press conference that he has chosen three doctors to supervise hospital tests which Ruby will undergo.

They include Dr. Robert Stubblefield, professor and chairman of the department of psychiatry of the University of Texas Southwestern Medical School here; Dr. Martin L. Towler of the Texas

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Miss Gandy	_____

(Indicate page, name of newspaper, city and state.)

1 "The Dallas
Morning News"
Dallas, Texas

Date: 1-22-64
Edition:
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Harris Clinic at John Sealy Hospital in Galveston, and Dr. John H. Brook, a Dallas psychiatrist who has examined Ruby at the request of the district attorney's office.

Dr. Stubblefield examined Edwin A. Walker after the former general was arrested during rioting at Oxford, Miss.

They will supervise and analyze a "brain wave" test of Ruby's thought patterns, a spinal tap, blood test and skull X-rays.

Judge Brown said present plans do not call for Dr. Towler or Dr. Stubblefield to make a detailed psychiatric study of Ruby.

Test Site Yet Undecided

Judge Brown said he has not decided where the tests will be made. Parkland Hospital and other hospitals have been reluctant to have Ruby as a patient.

Sheriff Bill Decker's deputies will guard Ruby while the tests are made. He is expected to spend 36 hours in the hospital.

Defense lawyers announced at 11:30 a.m. Tuesday that they were withdrawing their request that Judge Brown let Ruby go free on bond. Instead, they said, they would concentrate on getting his trial transferred to another county.

The lawyers—Melvin Belli, Joe Tonahill, Sam Brody, Phil Burleson and Tom Howard—said they "got what we wanted" when Judge Brown approved the tests for Ruby.

Dist. Atty. Henry Wade and Assistant Dist. Atty. William F. Alexander hailed the defense decision as a prosecution victory.

Wade Hails Decision

"Ruby is staying in jail and that's where we wanted to keep him," Wade observed.

Ruby's lawyers told Judge Brown the balding defendant, who appeared nervous and depressed as he sat in the courtroom Tuesday, could not get a fair trial here because "Dallas itself is on trial before the world."

They filed an 18-page brief in which they stated:
"Ruby cannot get a fair trial in Dallas County because of general animosity against him incited and aided by adverse publicity and particularly because Dallas itself is on trial before the world . . .

"Within Dallas County, it is the Dallas community—not Jack Ruby—that is on trial. Indeed, within Dallas County, the defense of the community from unwarranted outside attacks transcends the importance of giving Jack Ruby what the Constitution decrees—a fair and impartial trial, free from prejudicial influences."

Wade says Ruby can get a fair trial here.

Observation About Jurors

The district attorney noted that potential jurors are not disqualified simply because they have heard or read about the case. They are eligible to serve, he said, if they swear they can decide the case strictly from the courtroom evidence and instructions given them by the judge.

Each side may call witnesses and present arguments at the Feb. 10 hearing.

Ruby's trial had been scheduled Feb. 3, but his lawyers said they had another case set that day.

Judge Brown's announcement followed a 2-hour conference with lawyers who considered possible trial dates and haggled over "ground rules" for the tests which Ruby will receive.

The bond hearing ended abruptly after witnesses testified Tuesday.

Witnesses and highlights of their testimony:

Police Captain G. D. King—After shooting Oswald, Ruby stated, "You didn't think I was going to let him get by with it?"

(Prosecutors say this shows malice on Ruby's part and indicates also that he was not acting like a robot, as a defense psychiatrist claimed.)

Dr. Hillel E. Silverman, rabbi of Congregation Shearith Israel—Ruby was very emotional and appeared unstable and incoherent at times. He showed an unusual affection for his dogs and referred to them as his "children."

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(UPI Teletype)
Tears in his eyes, Jack Ruby tells newsmen outside Dallas court could not understand how a great man like that (President Kennedy) could be lost. He will get psychiatric tests.

Ruby Back in Prison, Waits Mental Test

Dallas, Jan. 21 (AP)—Jack Ruby, pictured by defense witnesses as a man with brain damage that would permit him to kill without knowing it, returned to jail without bond today to await an exhaustive mental examination.

The defense dropped its attempt to free the killer of President Kennedy's assassin on bond because the judge and the prosecution had agreed to the examination.

"We've got what we wanted," chief defense attorney Melvin Belli said.

At the same time, the defense filed a motion for a change of venue in the trial, set for Feb. 3, contending there is "so great a prejudice" against Ruby that he cannot possibly obtain a fair trial in Dallas County on the

charge of murdering Lee Harvey Oswald. Ruby's lawyers asked that the case be moved anywhere else in Texas.

Under a barrage of questions by newsmen outside court, Ruby broke down and wept. His lawyers then asked that all questioning stop.

Just before the tears came to his eyes, Ruby said he was "more remorseful than angry" at the time President Kennedy was assassinated. As to Oswald, he said: "I never saw him or knew him in my life."

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UPI-94

(RUBY)

DALLAS--JACK RUBY'S DEFENSE ATTORNEYS TODAY WITHDREW THEIR REQUEST FOR HIS RELEASE ON BAIL AND THE SLAYER OF LEE HARVEY OSWALD WAS ORDERED BACK TO HIS CELL PENDING INTENSIVE MENTAL EXAMINATIONS UNDER GUARD IN A HOSPITAL.

AT THE SAME TIME, THE DEFENSE PRESENTED JUDGE JOE B. BROWN WITH A MOTION DEMANDING A CHANGE OF VENUE THAT WOULD PUT RUBY'S MURDER TRIAL IN A CITY OUTSIDE DALLAS. BROWN, A CRIMINAL DISTRICT COURT JUDGE, SAID HE WOULD RULE ON THE MOTION WHEN HE OPENS THE SCHEDULED TRIAL IN HIS DALLAS COURT, FEB. 3.

BROWN, HOLDING THE BAIL BOND HEARING, SAID HE WOULD CONFER WITH DIST. ATTY. HENRY WADE AND CHIEF DEFENSE ATTORNEY MELVIN BELLI ON THE CHANGE OF VENUE.

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WASHINGTON CAPITAL NEWS SERVICE

Oswald's Killer Unaware Of Actions, Experts Testify

DALLAS, Jan. 21 (AP).—Jack Ruby, described by defense witnesses as unaware of his actions when he shot the accused assassin of President Kennedy, may find out today whether he will be freed on bond.

The 52-year-old Dallas night club operator seeks his temporary freedom while awaiting trial on a charge of murdering Lee Harvey Oswald.

The trial is scheduled for February 3.

A psychologist and a psychiatrist, both called yesterday by Ruby's defense team, said they believe he is afflicted with an organic brain disorder.

They said he was capable of "impulsive mental explosions" when under "strong emotional stress."

Geared for Physical Action

The psychiatrist pictured Ruby as "pre-set to be a fighter, to attack, to fight. He's a fighting man, geared up for physical action."

The current legal drama, a continuation of a December bond hearing, was to resume today in the tiny courtroom of District Judge Joe B. Brown.

The prosecution rested its bond case in December, producing witnesses then who testified Ruby appeared calm when he shot down Oswald in the basement of the city jail.

Meivin Belli, San Francisco attorney who heads Ruby's defense, said he would seek a postponement of the murder trial, possibly to February 17.

He also said he would file today a motion for a change of venue. He said previously he did not believe Ruby could get a fair trial in Dallas.

The defense has produced a string of witnesses to show Ruby's slaying of Oswald was not premeditated.

Prosecutor Claims Malice

District Attorney Henry Wade, chief prosecutor, has sought to establish that Ruby's actions constituted murder with malice and he thus should be denied bond.

Ruby shot and killed Oswald November 24, two days after President Kennedy was assassinated in a downtown motorcade.

Summoned by the defense to testify yesterday were Dr. Roy Schafer, Yale psychologist; Dr. Walter Bromberg, clinical director of Pinewood Psychiatric

Hospital in Westchester, N. Y.; Dallas Police Chief Jesse Curry; Ray Hall of Dallas, a special agent for the FBI; and Dr. John T. Holbrook of Dallas, a Government psychiatrist.

Unawareness State Seen

Ruby was described as a person subject to periods of deep depression and who harbored suicidal ideas—a man with paranoid and grandiose tendencies who did not know right from wrong when he shot Oswald.

Dr. Bromberg said Ruby "did not know the nature of his act" at the time of the shooting, adding:

"I feel that the emotional excitement triggered a fugue state." He described this as a condition wherein people do things without being aware of them.

"At the moment he caught sight of Oswald he lost recall. His recall came back during the scuffle on the concrete floor."

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Callahan ☒
Conrad ☒
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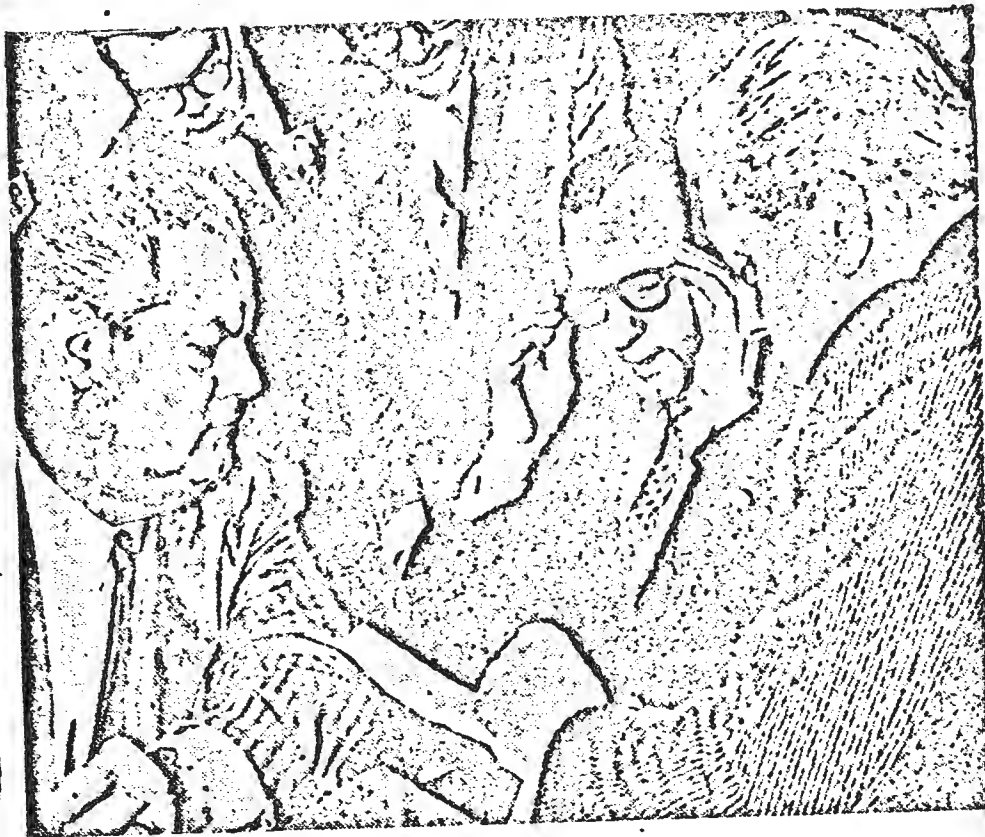
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The Wall Street Journal _____
The National Observer _____
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Jack Ruby, charged with the slaying of the accused assassin of President Kennedy, as he goes over some material with his chief attorney, Melvin Belli (right) in court yesterday. Another of Ruby's attorneys, Joe Tenahill, is at left.—AP Wirephoto.

Disclosed at Ruby Hearing:

His Cuba Trip, His Russian

Father

DALLAS.

Jack Ruby once made a trip to Cuba to join Fidel Castro some jeeps, it was revealed yesterday.

The disclosure came during cross-examination at Ruby's bail-bond hearing after a psychiatrist had made another revelation—that Ruby's father was a native Russian. The psychiatrist, Dr. Walter Bromberg, clinical director of Pinewood Psychiatric Hospital in Westchester County, N. Y., described Ruby, as a man wound up "to attack, to fight"—one who did not understand what he was doing when he killed Lee Harvey Oswald on Nov. 24, two days after Oswald allegedly assassinated President Kennedy.

Dr. Bromberg testified for the defense in its effort to have Ruby, Dallas nightclub owner, freed on bond while awaiting trial on murder charges.

In cross-examination by state attorneys, Dr. Bromberg said Ruby had told him of making a trip to Cuba in 1959, nine months after after Prime Minister Fidel Castro took over.

District Attorney Henry Wade asked if Ruby had told Dr. Bromberg of trying to sell jeeps to Cuba. The doctor confirmed this and added: "But the deal didn't go through... It was an involved financial deal in Houston and elsewhere. He wanted to make some money in a hurry."

He said Ruby spent about 10 days in Cuba.

BACKGROUNDS

Assistant District Attorney William Alexander asked if the doctor had learned from Ruby that his father was a native Russian named Rubenstein who had served in the Russian army. The psychiatrist said, "Yes."

Mr. Alexander asked whether this Russian background might have influenced Ruby's state of mind.

Dr. Bromberg replied: "It might have had an effect on his organic background." There was no explanation of this answer.

Oswald spent several years in Russia, once tried to obtain Russian citizenship, married a Russian woman and, after returning to this country, handed out pro-Castro pamphlets in New Orleans.

After Oswald's slaying by Ruby there was speculation that the two men were acquainted, and there were never any tests

they were connected with a plot to kill the President. However, officials discounted the possibility that they had ever known each other.

Earlier, psychologist Roy Schafer of Yale University testified he believes Ruby has an organic brain disorder that can cause an explosive mental state under emotional stimulation.

Describing Ruby, who grew up as a brawler in Chicago's South Side, Dr. Bromberg said: "He was pre-set to be a fighter, to attack, to fight. He's a fighting man, geared up for physical action. He thinks he's tough."

Dr. Bromberg said Ruby "Did not know the nature of his act" when he killed Oswald, could not tell the difference between right and wrong.

"I feel that the emotional excitement triggered a fugue state," Dr. Bromberg said. He described that as a state in which people do things without being aware of them.

Ruby stepped out of a crowd of newsmen and killed Oswald in the basement of the Dallas city jail.

"At the moment he caught sight of Oswald he lost recall," said the psychiatrist. "His recall came back during the scuffle on the concrete floor." The scuffle occurred as officers subdued Ruby after the shooting.

Assistant District Attorney William F. Alexander said Ruby was reported to have said of Oswald, "I hope the _____ dies." Dr. Bromberg said that would not have been out of character with a fugue state.

GRANDIOSE

Dr. Bromberg testified that "Ruby does not have delusions of grandeur. But he does have a grandiose tendency and a paranoid tendency."

When Mr. Alexander asked whether Ruby should have psychiatric treatment, Dr. Bromberg replied that he should have a thorough and complete examination. Dr. Bromberg said this should include a blood test for the possibility of syphilis.

Dr. Bromberg said that in examining Ruby he learned that at one stage in his life Ruby "lost interest in everything and developed suicidal ideas and did not consult a doctor."

The defense, headed by Melvin Belli of San Francisco, has announced it will try to prove Ruby was insane when he killed Oswald.

Ruby's trial is scheduled to begin Feb. 3. Dr. Schafer said he examined Ruby in late December for nine and one half hours, giving him standard psychological tests.

He said he would recommend other tests such as an examination of the physical and nervous systems, an electroencephalograph and a psychiatric examination.

Dr. Schafer said he thinks it likely but not certain that an electroencephalograph would show abnormalities in the functioning of Ruby's brain.

He testified he believes Ruby has a disorder called psychomotor epilepsy and that he has had it a long time.

This, he said, brings on attacks characterized by an "explosive mental state" under "strong emotional stimuli." But he said there might not be any outward signs that this was happening.

Ruby's attorneys have indicated they will try to prove he was torn emotionally by the President's death.

Under cross-examination by District

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The New York Times _____
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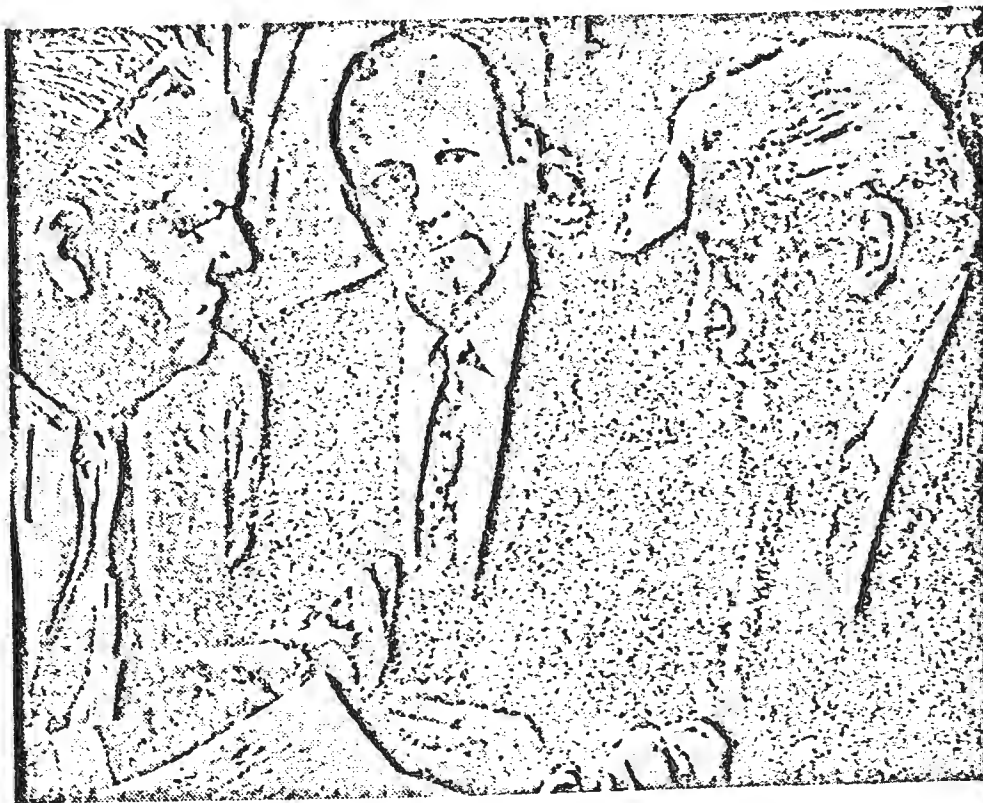
Attorney Henry Wade, Dr. Schafer said Ruby has an intelligence in the 73rd percentile—in other words, he would outscore 73 per cent of the population in IQ tests.

Newsman were permitted to photograph and question Ruby before the hearing.

Asking whether he thought he could beat

the murder charge, the balding, stocky strip joint boss replied: "give me a pill and I'll answer that." He did not explain what he meant.

"My blood pressure is at a faster pace," he replied to another question. But, he said, "I feel wonderful."



Associated Press wirephoto

RUBY IN COURT—Jack Ruby, center, Dallas nightclub owner charged with slaying Lee Harvey Oswald, in conference yesterday in Dallas with his lawyers, Joe Tonnehill (left) and Marvin Belli, in an effort to get bail pending Ruby's trial in February.

Sanders Jots Notes At Hearing

U. S. Dist. Atty. Barefoot Sanders was a prominent observer Monday at the resumed Jack Ruby bond hearing.

"We are keeping the Justice Department informed," Sanders said of his note taking.

What about the White House? Sanders is known to be a close political friend of President Lyndon Johnson, whose interest in the Dallas hearings are apparent.

"Let's just say that we are working through the Justice Department," Sanders said, smiling. He said that the same applied to information which might be supplied to the Warren Commission. That is the federal body established to investigate all aspects of the assassination of President John F. Kennedy.

Sanders apparently was on hand also to handle any conflict involved in testimony by two Federal Bureau of Investigation agents summoned to testify in the hearing.

Federal and state attorneys in Dallas have clashed recently on just how far an FBI man can be forced to reveal findings in a state court.

During one of the agent's testimony, Sanders joined state attorneys in objecting to defense efforts to get the agent to tell whether any connection had been established between Ruby and accused presidential assassin Lee Harvey Oswald.

Sanders said the agents were authorized to testify only to the facts of their interviews with Ruby, not to venture any opinions nor touch on any other subject.

TOP CLIPPING

DATED 1/21/64

FROM Dallas News

MARKED FILE AND INITIALED A

79 FEB 10 1964

SELLING MERCHANDISE TO CUBA

Doctor Testifies Ruby Sought 'Quick Dollar'

Jack Ruby was quoted Monday as saying he tried to "make a quick dollar" by selling merchandise to Communist Cuba.

Dr. Walter Bromberg, a New York psychiatrist, testified in Criminal District Court No. 3 that Ruby told him this was the reason for a 1959 trip to Cuba.

Dr. Bromberg, who interviewed Ruby in his county jail cell, testified during a bond hearing for the 32-year-old murder suspect.

Objections Ring Out at One Question

Objections resounded through the courtroom when an agent of the Federal Bureau of Investigation was asked a key question by a defense lawyer at the Jack Ruby bond hearing Monday.

Special Agent Ray Hall was on the witness stand. Defense attorney Joe Tonahill asked: "Mr. Hall, did the FBI, in its investigation, find any connection between Jack Ruby and Lee Harvey Oswald?"

Dist. Atty. Henry Wade and Assistant Dist. Atty. Bill Alexander were both on their feet objecting that this matter was not pertinent to the bond question.

At the side of the courtroom, U.S. Dist. Atty. Barefoot Sanders had quietly come to his feet also.

"Your Honor, I'd like to add my objection. Mr. Hall is authorized to state only facts of the interviews he may have had with Mr. Ruby. He is not authorized to voice opinions on that or other matters."

Judge Joe B. Brown sustained the objections.

Dist. Atty. Henry Wade asked about the Cuban trip while cross-examining the psychiatrist.

"Did he tell you about a Cuban trip about nine months after Castro came into power?" Wade asked.

Dr. Bromberg said Ruby had mentioned the trip.

"He said he wanted to make some money in a hurry . . . to make a quick dollar . . . selling something to the people there," Dr. Bromberg said.

Dr. Bromberg said Ruby stated he made the trip in September, 1959, with "a Mr. McWillie." This was apparently a reference to L. J. McWillie, a former gambler in the Fort Worth-Dallas area.

The psychiatrist said Ruby spent about 10 days in Cuba.

"He said the deal didn't go through," Dr. Bromberg related.

Dr. Bromberg testified he couldn't recall what Ruby said he planned to sell in Cuba, but felt sure it was not guns.

Wade suggested that Ruby planned to sell Jeeps to the Castro government and Dr. Bromberg said Ruby may have mentioned Jeeps.

"I can't recall positively," the psychiatrist said.

Chief of Defense Hopes to Wind Up Hearing by Noon

Melvin Belli, chief defense lawyer for Jack Ruby, said Monday following the recess of a bond hearing for his client that he hopes to complete the hearing by noon Tuesday.

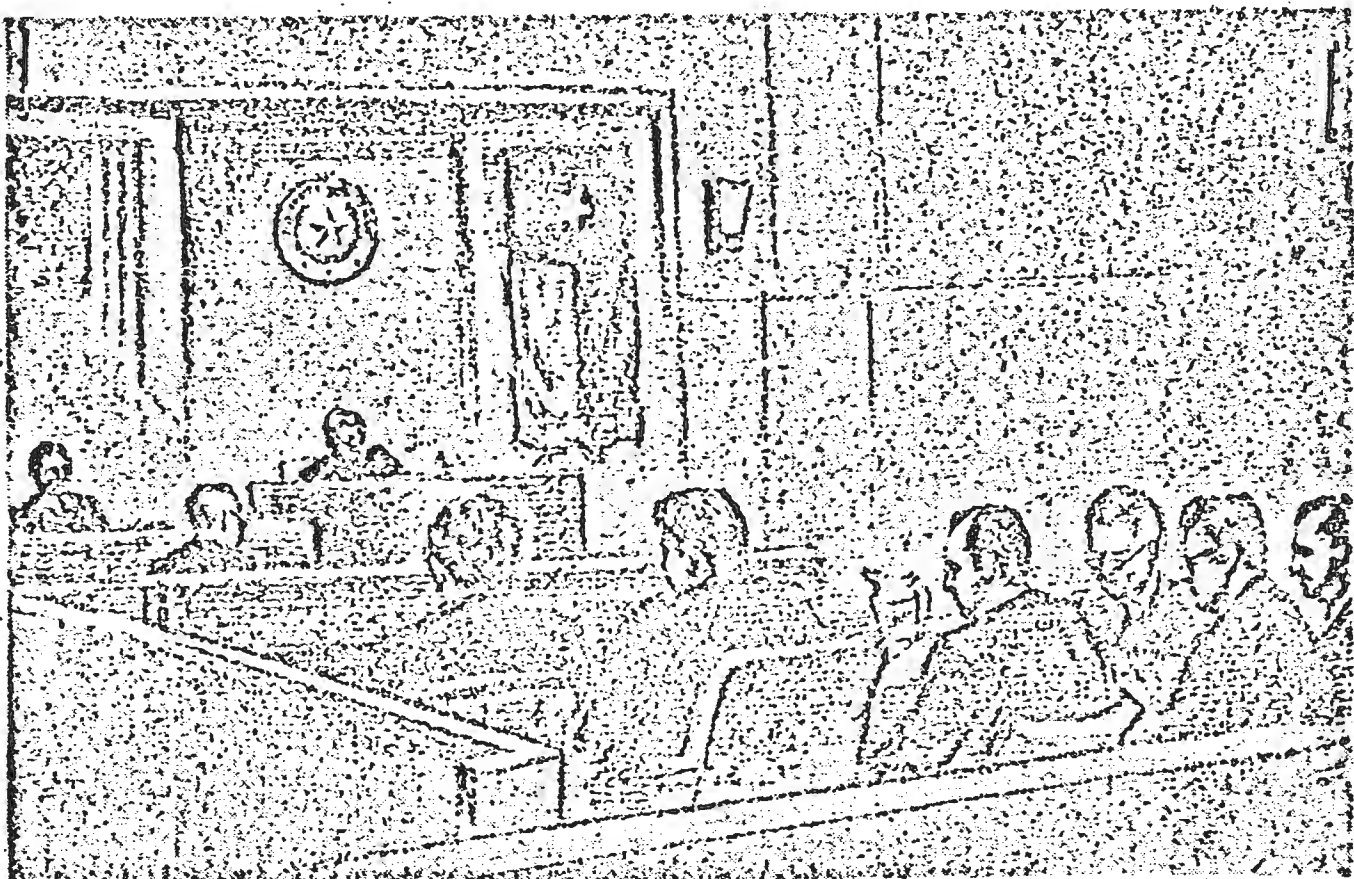
He added that his colleague, Joe Tonahill, has communicated with the Warren Commission, investigating the assassination of President Kennedy and its attendant tragedies, that Jack Ruby wants to testify before that body.

Belli indicated, however, that in return for making Ruby available, he felt the commission should provide Ruby's lawyers with information it has collected in its investigation thus far.

Belli said Ruby is willing to take a lie detector test or truth serum in the presence of commission investigators.

The defense contends that Ruby should be released on \$5,000 bond. The state argues that Ruby should not be released on bond of any amount.

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—Dallas News Sketch by Glenn Moore.

TESTIMONY DURING RUBY BOND HEARING

Judge Joe B. Brown presides over Criminal Dist. Court No. 3 Monday as Yale University psychologist Dr. Roy Schafer testifies in Jack Ruby's bond hearing. A court reporter, in front of witness stand, takes down the testimony as attorneys and the

defendant listen. They are, from left, Dist. Atty. Henry Wade, Assistant Dist. Atty. William Alexander, defense attorneys Sam Brody, Joe Tonahill and Melvin Belli. Ruby, who is charged with killing Lee Harvey Oswald, is at the far right.



—Dallas News Staff Photo by Tom Dillar

Ruby, center, watches as lawyers Belli, right, and Tonahill discuss strategy.

(Mount Clipping in Space Below)

Psychiatrists Say Ruby Mentally Sick

Prosecution Has Different Theory

By CARL FREUND

A New York psychiatrist said Monday that Jack Ruby "did not realize what he was doing" when he shot Lee Harvey Oswald to death after 24-year-old Marxist Oswald had been accused of assassinating President Kennedy here.

Prosecutors suggested, however, that Ruby pulled the trigger "in hopes of gaining immortality . . . and becoming rich."

Judge Joe B. Brown listened to the conflicting theories in a heavily guarded courtroom as defense lawyers resumed their attempt to free Ruby on bond.

Judge Brown said he would hear more testimony Tuesday. He instructed deputies to return Ruby to Criminal Dist. Court No. 3 at 9 a.m.

More Testimony Due

Ruby has been held without bond since he leaped forward in the City Hall basement Nov. 24 and fired a shot into Oswald's abdomen while millions watched on television. The mortally wounded assassination suspect, who was handcuffed to a detective, slumped to the floor as officers twisted a pistol from Ruby's grasp.

Defense lawyers relied heavily on testimony of Dr. Walter Bromberg, a New York psychiatrist, and Dr. Roy Schafer, a psychologist

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Mr. Belmont _____
Mr. Mohr _____
Mr. DeLoach _____
Mr. Casper _____
Mr. Callahan _____
Mr. Conrad _____
Mr. Felt _____
Mr. Gale _____
Mr. Rosen _____
Mr. Sullivan _____
Mr. Tavel _____
Mr. Trotter _____
Tele. Room _____
Mr. Holmes _____
Miss Gandy _____

(Indicate page, name of newspaper, city and state.)

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Morning News"
Dallas, Texas

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Edition:

Author:

Editor: Jack B. Krueger

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Submitting Office: Dallas

☐ Being Investigated

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on the staff of Yale University. Both examined Ruby in his county jail cell.

Dr. Bromberg described Ruby as a mentally sick man who sank into periods of deep depression—periods in which he contemplated suicide.

Brain Disorder Claimed

Dr. Schafer said his tests convinced him the striptease club-owner has a brain disorder—probably a form of epilepsy—which can produce "explosive behavior" when he is emotionally upset.

The two discussed their findings at length during questioning by Melvin Belli of San Francisco and Joe Tonahill of Jasper, the chief courtroom spokesmen for the defense legal staff.

Dist. Atty. Henry Wade and his assistant, William F. Alexander, challenged the conclusions of the defense witnesses.

Alexander charged that Ruby lied to Dr. Bromberg when the psychiatrist questioned him.

"If some of the things he told you were false, then that would make your findings erroneous, wouldn't it?" the prosecutor asked.

Conclusions Defended

Dr. Bromberg said he felt his conclusions were correct.

The psychiatrist said Ruby was in a "fugue state" when he shot Oswald.

Dr. Bromberg explained this is a condition in which a man performs various acts with no conscious knowledge of doing them. He cited cases of boxers continuing to fight throughout a match and then not remembering it.

Dr. Bromberg said Ruby told him he does not remember shooting Oswald.

"He told me he remembers going down the ramp (into the City Hall basement) and seeing Oswald, but doesn't remember anything else until he found himself struggling with officers," the psychiatrist related.

Question Arises

Alexander asked:

"If he said, 'I hope the — dies,' would that be out of character for someone in this fugue state?"

Not necessarily, Dr. Bromberg replied.

Alexander asked seconds later, "Ruby thinks he's about half-way tough, doesn't he?"

"He thinks he's tough," the psychiatrist agreed.

Dr. Bromberg said Ruby is subject to "basic emotional instability so severe that he occasionally breaks out crying for no apparent reason."

The witness said "a depressive episode" began building up Nov. 22 when Ruby saw a newspaper ad which criticized President Kennedy.

'Emotional Shock'

"The death of President Kennedy produced a severe emotional shock which resulted in agitation and confusion," Dr. Bromberg continued.

He said stress kept building up inside Ruby's organically impaired brain and the night club owner finally "exploded" by shooting Oswald.

"When he was telling you what he did, did he remember going to a party Saturday night (between the time President Kennedy was assassinated and the time Oswald was shot)?" Alexander asked.

"No, he didn't tell me," the psychiatrist replied.

Although defense lawyers pictured Ruby as acting like a robot when he shot Oswald, Alexander suggested that Ruby knew exactly what he was doing.

"Don't you think he stood there and figured he could become immortal—a national hero—and write a book and make a million dollars and open 'Jack Ruby's on Broadway'?" the prosecutor asked.

Belli objected to the question, terming it "dramatic."

Trip to Cuba Bared

Wade and Alexander brought out also during their cross-examination of Dr. Bromberg that Ruby made a trip to Cuba "about nine months after Castro came to power."

Dr. Bromberg said Ruby stated he "hoped to make a quick dollar" by selling merchandise to Cuba.

Repeated objections by prosecutors blocked defense lawyers during their questioning of Police Chief Jesse Curry.

Judge Brown ruled they could not question Chief Curry about his investigation of the assassination. The judge said these questions had no place in a bond hearing.

When Tonahill persisted, Judge Brown warned him sharply.

Dr. Schafer said he believes Ruby suffers from psychomotor epilepsy, but is not paranoid or schizophrenic. He said this epilepsy may have resulted from a head injury or a brain inflammation known as lecephalitis.

Without showing the symptoms which laymen usually associate with epilepsy, the psychologist said, Ruby would suffer attacks which left him unable to control his impulses.

Ruby a 'Fighter'

Dr. Bromberg described Ruby, who grew up in a rough-and-tough area of Chicago, as "a fighter . . . geared to attack." But, the psychiatrist said, he has suffered periods of deep depression.

Dr. Bromberg said Ruby and his family recalled one case in which Ruby showed far more than the normal grief after a friend was killed during a scuffle in a Chicago labor dispute in 1940.

The psychiatrist said Ruby stated he "holed up in a hotel room for weeks" and contemplated suicide after a business failure 18 years later.

Notes: Ruby Nervous, Judge Stern in Court

By HUGH AYNESWORTH

Random notes from the Jack Ruby bond hearing Monday:

Jack Ruby, though he answered, "I'm fine, thank you," to a reporter's query as to how he felt, looked considerably more nervous Monday than at the previous bond hearing.

He nibbled on his nails, wrung his hands many times, scratched his neck, adjusted his tie and once had unshed tears in his eyes as Dr. Walter Bromberg and Assistant Dist. Atty. Bill Alexander talked about Ruby being "a fighting man."

"He thinks he's about half tough, you mean?" Alexander asked dryly. Ruby glanced quickly at Alexander, whom he has known for 13 years, and dabbed his eyes.

Judge Joe B. Brown ruled with a strict hand Monday. Once, when the audience — some press, some citizens — laughed aloud at an exchange between Alexander and defense attorney Joe Tonahill, Brown snapped, "Any more of that and I'm going to empty the courtroom. I'm not going to put up with that."

He later admonished Tonahill by saying, "Let's get on with something else. Let's don't have a falling out here."

Tonahill brought another snicker from the crowd with, "You mean a falling out between me and Alexander, don't you judge? You and me ain't gonna fall out!"

Dallas Police Chief Jesse Curry appeared briefly on the stand, but, on the advice of Dist. Atty. Henry Wade, did not bring with him all the personal effects taken from Ruby, including the death weapon.

The prosecution maintained, and was upheld, that Curry did not have to bring this paraphernalia, since the court had not so ordered.

As Curry stepped down, Tonahill said sarcastically, "Thanks chief. You are very nice. I think you'd tell us the truth if they would let you."

When Dr. John P. Holbrook told of his talks with Ruby Nov. 25 and Dec. 4, he hit a sore spot with the Ruby family.

He said Ruby told him he had a "peculiar situation" with some of his brothers and sisters, that "they often used him."

Mrs. Eva Grant, his sister who lives in Dallas, winced a bit, then looked toward Jack. But he didn't look toward the family. His brothers, Sam of Dallas and Earl of Detroit, sat beside Mrs. Grant in the fourth row through most of the session.

One of the last to be seated at

the morning session was Mrs. Melvin Belli, wife of the chief defense attorney. She strode in wearing a black dress, white scarf, a strand of pearls and a smile. She sat in the jury box during the session.

As she arrived, Belli stood and said, "I'd be willing to accept her as a permanent juror."

"Let's don't have any levity," snapped Judge Brown. "Let's get on with the next witness."

Sheriff Bill Decker witnessed the entire proceedings. He stood during the morning session and part of the afternoon. But he got to sit down when someone added a chair to the crowded courtroom later in the day.

As the proceedings broke up, Decker smiled and asked Belli, "Will you please get your press conference over out there (meaning outside the front door of the court where Belli usually stops for television cameras) so I can clear the halls?"

As Ruby was taken back to his cell, he was tired looking.

Belli said the trial was still slated for Feb. 3, "but it might slip 'til the 10th or 17th. I hope it's the 17th."

He said Tonahill, his helper from Jasper, would ask for a change of venue—probably Tuesday. "It's kinda been held up," Belli said.

How was he doing? "I'm always hopeful, even when I'm a lap behind," he replied.

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79 FEB 10 1964

DETERMINE BRAIN DAMAGE, IF ANY

3 Say Ruby Needs Series of Tests

By KENT BIFFLE

Two psychiatrists and a psychologist who testified at Jack Ruby's bond hearing Monday agreed that Ruby needs a series of tests to find if his brain is damaged.

Dr. Roy Schafer, an associate professor of psychology at Yale University, and Dr. Walter Bromberg, clinical director of Pine-wood Psychiatric Hospital at Katonah, N.Y., said that in interviews with Ruby they found indications he may at one time have suffered brain damage through injury or illness.

Doctors Schafer and Bromberg were defense witnesses.

Dr. John T. Holbrook of Beverly Hills Hospital in Dallas agreed with them that the tests are needed. Dr. Holbrook will be a major state witness. He was called by

the defense for the Monday hearing, however.

The tests reportedly needed for Ruby include a brain wave examination, blood tests, skull X-rays and a spinal tap.

While Dr. Holbrook was on the witness stand, he mentioned that he felt such tests should be made.

Melvin Belli, chief attorney for Ruby, said, "All you have to do is get Mr. Wade (Dist. Atty. Henry Wade) to call Parkland and we can get him in."

The implication was that Wade was somehow blocking Ruby's admittance into a hospital where the tests could be given.

After the hearing recessed, Wade said that was not the case. "We are just as anxious as the defense that the tests be conducted," said Wade. "But we

want them performed on our terms with experts on hand to give them."

He indicated he would insist that Dr. Holbrook be present when the tests are conducted. Wade said the tests, requiring two or three days, would be performed sometime after the close of the bond hearing.

Judge Joe B. Brown of Crim. Dist. Court No. 3 said no aspects of the bond hearing seem to hinge directly on the outcome of the tests so nothing would be lost in the tests' being delayed until the hearing is completed.

The judge left the bench during the morning session to take a phone call from a Parkland Hospital spokesman. The judge was in hopes that Parkland had agreed to accept Ruby for the tests. Such was not the case, however.

Monday night no date had been set for the tests.

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Variety of Moods Displayed by Ruby

By LEWIS HARRIS

"Wonderful! Wonderful," a jaunty Jack Ruby exclaimed Monday to the question of how he was feeling as he was hustled into court under heavy guard for the second round of his bond hearing.

A short, balding, sharp-nosed man with a perpetual 5 o'clock shadow, Ruby seemed to welcome the hearing as a break to his jail-cell confinement.

He was a man of various moods during the day.

Cocky and self-assured at the beginning, he faced whirring TV cameras and brief questioning from the press with pasty smiles and slip answers.

As the testimony progressed, he expressed irritation, boredom and nods of approval—depending on the turn of the evidence.

"Do you think you're going to beat it?" a reporter asked Ruby about his case. "Give me a pill, and I'll answer that," he replied without explanation.

Was he excited? "My blood pressure is at a faster pace than the years before this, wouldn't you think?" came the mixed answer.

Ruby snapped some of his answers from the side of his mouth,

as if to bolster later psychiatric testimony from the stand that he "thinks of himself as a tough guy."

He said Sheriff Bill Decker "has been real great to me—without giving me any extra liberties, you understand." He said he does pushups and setting-up exercises to combat a weight problem.

"They give us a lot of gravy on the mashed potatoes, but it is delicious," he added.

Asked if he felt sorry about shooting accused presidential assassin Lee Harvey Oswald, Ruby was mulling an answer when one of his attorneys ordered him not to reply—and cut off any further questions from reporters.

Ruby generally paid close attention to the testimony. He nodded in agreement when a defense psychologist testified that a head injury probably contributes to an unbalanced mental condition he feels Ruby suffers.

The defendant seemed agitated as the testimony dwelled on the effects of excessive drinking and a technical discussion of epileptic repercussions he may have experienced.

His lips moved wordlessly as he apparently talked to himself. Prosecutor Bill Alexander emphasized to one witness the possibility that a man might act and react differently "if he stands in the shadow of the electric chair."

It seemed to take a few minutes for the implication to sink in on Ruby. Then he stared blankly at the floor for a long time, checking nervously at a fingernail.

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DATED 1/21/64
FROM Dallas Times Herald

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144-24018-11-

Psychiatrist at Bail Bond Hearing Describes Explosiveness of Ruby

By James W. Mangan

DALLAS, Jan. 20 (AP)—A psychiatrist described Jack Ruby today as a man wound up "to attack, to fight"—and one who did not understand what he was doing when he killed Lee Harvey Oswald, accused assassin of President Kennedy.

Cross-examination brought testimony that Ruby had a Russian father and made a trip to Cuba in 1959 to try to sell Jeeps.

The description of Ruby was by Dr. Walter Bromberg, clinical director of Pinewood Psychiatric Hospital in Westchester County, N.Y. He testified for the defense in its effort to have Ruby freed on bond while awaiting trial on a charge of murder with malice for shooting Oswald.

In cross-examination by the prosecution, Dr. Bromberg said Ruby had told him of making a trip to Cuba in 1959, nine months after Prime Minister Fidel Castro took over.

District Attorney Henry Wade asked if Ruby had told Dr. Bromberg of trying to sell Jeeps to Cuba. The doctor confirmed this and added: "The deal didn't go through... It was an involved financial deal in Houston and elsewhere. He wanted to make some money in a hurry."

Assistant District Attorney William Alexander asked if the doctor had learned from Ruby that his father was a native Russian named Rubenstein who had served in the Russian army. The psychiatrist said, "Yes."

Ruby's defense lawyers sought to bring up some events in Dallas concerning the shooting of Oswald but Judge Joe B. Brown would not permit such testimony.

The questions were directed at Police Chief Jesse Curry. Among other things, he said he did not bring Ruby's pistol to court as directed by subpoena because the District Attorney's office told him not to.

Defense Attorney Joe H. Tonahill objected strenuously when the State referred to Oswald as the accused assassin of President Kennedy. Tonahill wanted Oswald called the assassin without qualification. Judge Brown sided with the State.

Tonahill asked if Curry did not bring Ruby's pistol to court because the pistol had no hammer. The State objected and was sustained.

Both sides began speaking

to each other in sarcastic tones. Judge Brown intervened. Tonahill dismissed Curry with the bitter comment, "I believe you would have told us the truth if they would let you."

Wade replied sarcastically, "Yes, sir."

Earlier, psychologist Roy Schafer of Yale University testified that he believes Ruby has an organic brain disorder that can cause an explosive mental state under emotional stimulation.

The defense also called as a witness Dr. John T. Holbrook, Dallas psychiatrist who examined Ruby for the State on Nov. 24.

Holbrook said Ruby told him his father was an alcoholic. He said Ruby described himself as the black sheep of the family and also as a man who could not bring himself to back down from situations.

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Mohr ☒
Casper ☒
Callahan ☒
Conrad ☒
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The Washington Daily News _____
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The New York Times _____
The Worker _____
The New Leader _____
The Wall Street Journal _____
The National Observer _____

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128 JAN 23 1964
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58 JAN 24 1964

Ruby's Mind Impaired, Yale Psychologist Says

DALLAS, Jan. 20 (AP)—A Yale University psychologist testified today that in his opinion Jack Ruby is suffering an impaired functioning of the brain and should have a thorough examination.

Dr. Roy Schafer of the university's Department of Mental Health testified in Ruby's effort to obtain release on bond while awaiting trial on a charge of murder in the death of Lee Harvey Oswald, accused assassin of President Kennedy.

Dr. Schafer said he examined the 53-year-old night club operator for nine and a half hours in late December, giving him a number of standard psychological tests.

Long Examination Held

His testimony was permitted over objections of State attorneys, who contended it had no bearing on the bond issue.

Defense Attorney Melvin Belli told the court the testimony was essential to sustain the defense contention that Ruby could not tell right from wrong and lacked "conscious appreciation of what he was doing" when he shot Oswald on November 24 in the basement of the city jail here.

The psychologist was the first witness as Ruby's bond hearing, begun in December, was resumed today. The State had rested its case before the hearing was recessed because of the Christmas holidays.

Dr. Schafer testified that he felt Ruby might have a disorder known as psychomotor epilepsy which affects control over impulses. A frequent characteristic is a victim's "lack of knowledgeability" of what he is doing, he added.

Asked whether he considered it an old or new condition in Ruby's case, Dr. Schafer replied: "I would say old."

What Triggers Attack

"There are 'not particularly' any outward signs that would show an attack of the disorder is in progress, he said, adding that "It can be set off by strong emotional stimuli."

Asked to describe how he

reached his conclusions about Ruby, Dr. Schafer replied:

"He had frequent periods of mild confusion, his speech became loose, some statements were almost incoherent, his perception of the test items at times was grossly distorted, his answers at time were peculiar, inappropriate and contained elements of absurdity."

The psychologist also said Ruby has an intelligence in the 73d percentile of the population, meaning 73 per cent of the population would score lower on intelligence tests.

Ruby was brought back into court under tight security guard.

"I feel wonderful," he said.

Asked if he felt excited, Ruby said, "My blood pressure is at a faster pace."

Ruby also was asked whether he thought he could beat the murder charge. "Give me a pill and I'll answer that," he said. He did not explain what he meant.

What Must Be Decided

How long the hearing will last will depend on whether State District Judge Joe B. Brown agrees to a defense request to present evidence it says will prove Oswald was the assassin of President Kennedy and the slayer of Police Officer J. D. Tippitt.

If the judge rules that it is pertinent to the issue of whether Ruby should be released on bond, the hearing could last a week since the defense has subpoenaed nearly two dozen witnesses.

Under Texas law a person charged with a crime punishable by death may be held without bond.

In a 30-page petition filed with the court last week, the defense said the actions Oswald was accused of "enraged their client to such an extent that their client was temporarily insane."

Defense Contentions

"The defense must prove Oswald was the man who assassinated the President and shot Officer Tippitt," the petition said.

At the December hearing, Ruby's lawyers sought to show that the case was not a capital one since they contended their client was temporarily insane and that bond should be granted.

Ruby's trial has been set for February 3 in Dallas.

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Just Ruby
44-24016
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Ruby's Lawyer Has Reputation As Courtroom 'Barrymore'

By William Flynn

Special to The Washington Post

SAN FRANCISCO — Melvin Mouron Belli is a genius with a split personality.

He is a lawyer. He is an actor.

He will display both these personalities when he strides into the spotlight of world attention as the trial of slick-haired Jack Ruby, the pistol killer of Lee Harvey Oswald, accused as assassin of President Kennedy, begins in Texas.

Veteran court watchers in California — and a number of other states — are ready to give eight to three that jurisprudence in Texas never will be the same again when the Belli-Ruby trial concludes.

The system seldom is after the white-haired lawyer from the rugged Mother Lode country of California concludes and departs.

Melvin Mouron Belli does more than "practice law."

He makes it; and while blazing new trails in the evolution of the ancient and honorable English Common Law, he combines the best of John Drew, John Barrymore, Maurice Evans and Richard Burton to provide the audience with a theatrical performance that seldom is equaled in the history of the modern theater.



Melvin M. Belli, Jack Ruby's lawyer, has earned a reputation for being a garish genius.

File 6-17

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King of Torts

During a 3-decade career, Belli's genius for the law has made him wealthy — and famous from the plaintiff's point of view; and infamous as far as insurance companies and the American Medical Association are concerned.

Winning the proud title of "King of Torts," Belli has eased the pain and suffering of hundreds of clients by giving them two-thirds of the net he won from the insurance companies in prosecuting their claims for damages. They have received several millions of dollars, which is the reason the San Francisco attorney is a "dirty name" to the liability carriers for individuals and members of the medical profession.

He also has practiced criminal law, defending everyone from killers to forgers. Some of his capital-crime clients have sent him Christmas greetings from life imprisonment cells or from homes established after acquittal. Others haven't. They died in San Quentin Prison's apple green, 8-sided-gas chamber.

Each of his cases is presented with a flair. His submission of evidence is dramatic, flamboyant. The secret of his success is meticulous preparation and attention-compelling presentation and argument.

Studies at Johns Hopkins

He knows more medicine than many a specialist. He should. He studies annually at Johns Hopkins to keep abreast of the latest in medical science. He knows the law. His Edwardian bordello office

Once he sought damages for a woman whose shapely limb had been severed above the knee by the flanged wheels of a San Francisco municipal railway street car. As the trial progressed, he kept touching, turning, shifting a long butcher-paper wrapped package at his table.

Not once did he refer to it. But its almost constant movement fascinated the men and women of the jury. Finally he asked his client to stand. She did — on one leg.

Said Belli, "I have then, did several cases affected individuals with

Another he tried was on behalf of a 600-pound defendant. There was a technical medical problem involved. To emphasize to the jurors that his client had difficulty in getting around because of his weight, Belli arranged to have him swung into the third floor window of the court room by a crane.

Even before he was a professional lawyer, Belli was aware of the power of the courts. He was refused his high school diploma because, as he explains, "I was taken with drink the night of graduation." He sued as a citizen and won, forcing the school board to give him the document.

He was graduated from the University of California law school in the midst of the Depression. He passed the California Bar examination but there was no job in law offices for the future "King of Torts." He became a relief investigator.

In that role he was "vagged," mugged, fingerprinted, jailed, and "floated" out of town with a warning from the police court judge to never let his shadow touch ground in San Diego again.

But he did return — years later. Then he appeared as counsel for the plaintiff before the same judge and qualified himself by presenting his San Diego rap sheet, complete with front and profile photos, and fingerprints. The judge could do nothing but commend him for his rehabilitation.

He's Always the Star

His voice is soft, mellow, or rages with righteous indignation at the cupidity of his opponents. His suits are dark, the finest from Saville row. His shirts are handmade with ruffled fronts from which wink diamond studs, sometimes hidden by a flowing, Byron tie. His shirt cuffs are starched to board stiffness. His black boots are high-heeled, and highly polished.

When he sums up in a damage suit, he uses a blackboard. He lists so many thousands of dollars for this loss and that pain and strikes a grand total

\$300,000.

This use of demons, evidence, including skeletons and models of vital organs, has caused Dean Roscoe Pound of Harvard Law School to describe the Ruby defense counsel as "a master of this mode of presenting cases," and as a "contribution to the administration of justice."

Belli modestly says Dean Pound is a fine judge of lawyers.

He also would agree with the estimate that he is a genius — and he lives the role to the hilt.

Every morning his secretary gives him 10, brand new \$10 bills.

"A man has to have walking around money," he explains, slipping them into a solid silver money clip.

He confounds wine waiters with his knowledge of vine-tages.

He drives a Rolls-Royce but frequently has it repainted — beige, purple, silver, black, rose.

"The Rolls is the best car," he says, "but, after all, even a Rolls shouldn't be boring."

Free Flight to Fancy

For night time and nippy San Francisco day time wear he prefers a crimson lined cape rather than a Chesterfield, velvet collared top coat to set off his black Homburg.

But it is in his office and his home that he has really given free flight to his fancy for the spectacular.

Raising his second family with his third wife at 57, he lives on the top floor of a three floor flat building he owns on Telegraph Hill in San Francisco. On the roof, providing a breath-taking view of San Francisco Bay, he has a gigantic barbecue installation, complete with electric.

The interior of the home is done in the velvets — crimson to black — of the Gold Rush days of California. One built-in

est. It holds the volumes he has written, more than a score, ranging from frothy bits such as "Life and Law in Russia" to the three volume "Modern Trials" that is a textbook for members of his profession.

"I've made more than \$125,000 out of that one," he recalls.

Office Near Home

His office, just a few blocks away down Telegraph Hill along Montgomery street, is a renovated 100-year-old building. The exterior is done in the used brick, black iron grill work fashion of the Quarter in New Orleans.

A Philadelphia trained lawyer, William Sweeney, now of New York, once visited the Belli building. After surveying the garish interior, Belli's office complete with 100-year-old bar, Mother Lode antiques, and a steam room in the basement reached by sliding down a fireman's brass pole, Sweeney wandered into the street, obviously suffering from shock.

"If this was in Philadelphia," he muttered, "the man would be disbarred."

That has occurred to the ethics committee of the California State Bar Association at times, too, but nothing has been done about it.

As for the American Bar Association, Belli says:

"I hang that certificate over the bowl in the wash room."

No Ordinary Counsel

Thus, it may be said, Jack Ruby has no ordinary defense counsel to try to win freedom on the grounds he was insane when he fired the fatal shot that killed the alleged killer of President Kennedy.

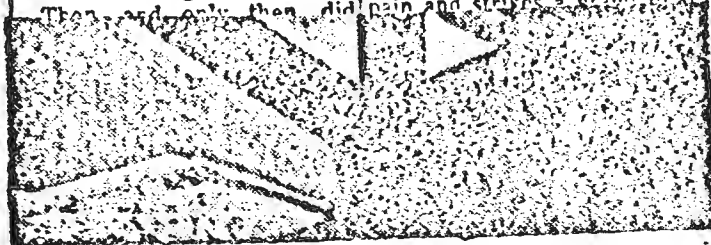
And it is also certain beyond a reasonable doubt that Melvin Mouron Belli will provide Ruby with more than a competent defense.

He always gives his clients that defense. They have hundreds of thousands of dollars to prove it.

And those who lost the cases that resulted in such judgments may not like Melvin Mouron Belli but they respect him; and fear him.

He accepts gratitude, respect, and fear as his just due but is not overwhelmed by it.

After all, "genius is its own reward."



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UPI-35

(RUBY)

DALLAS--POLICE SLIPPED SELF-APPOINTED EXECUTIONER JACK RUBY FROM HIS MAXIMUM SECURITY CELL TO A HEAVILY GUARDED COURTROOM THREE HOURS AHEAD OF TIME TODAY TO AWAIT HIS BAIL BOND HEARING.

RUBY, WHO SHOT ACCUSED ASSASSIN LEE HARVEY OSWALD NOV. 24, WAS CLOSETED WITH A BATTERY OF DEFENSE LAWYERS AND GUARDS.

IT APPEARED HIS BOND HEARING (11 A.M. EST) WOULD BE ONE OF THE LONGEST IN RECENT HISTORY.

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WASHINGTON CAPITAL NEWS SERVICE

(Mount Clipping in Space Below)

Ruby Hearing Monday To Strike Legal Sparks

BY ED JOHNSON
Star-Telegram Writer

DALLAS, Jan. 18—Two courtroom lions will tangle at 9 a. m. Monday in Round 2 of the Jack Ruby bond hearing.

At stake is whether the night club owner will get out of jail before his trial in the slaying of Lee Harvey Oswald.

Stars of the legal fray are District Attorney Henry Wade, who wants to keep Ruby locked up until the big battle, and chief defense counsel Melvin Belli of San Francisco, who is just as determined to obtain temporary freedom for his client.

Belli and Wade, both white-maned titans in their profession, first clashed Dec. 23 when the hearing began.

That encounter sparked the type of legal in-fighting that may make the whole courtroom drama one of the trials of the century.

There is another aspect of the bond hearing—a sort of fishing expedition for the bigger trial ahead.

Prosecutors generally don't like such hearings because in presenting evidence before the court they tip the defense on the texture of their principal case.

But the defense is now in the midst of its presentation in behalf of Ruby's freedom.

JUDGE JOE B. BROWN will rule in line with Texas law, which says that a defendant may be held without bond if it is likely a trial jury will give the death penalty.

This, of course, is a guessing game peculiar to the law.

The polished and colorful Belli has said the bond hearing may go on all week, a likely timetable if he uses all of the 21 defense witnesses subpoenaed.

These include Dallas Police Chief Jesse Curry, who has no reason to be friendly to the defense.

Others called include FBI agents, detectives, doctors, reporters and editors and two men identified as brothers of Ruby.

Belli wants to get in evidence at the bond hearing the state's case against the slain Oswald, who was charged with murdering President John F. Kennedy and Dallas Police Officer J. D. Tippit.

THE PROSECUTION will fight just as hard to keep that evidence out on grounds that Oswald's possible killings have nothing to do with the case against Ruby.

Belli maintains that Ruby's mind was so inflamed by the assassination that he shot Oswald in the Dallas police station before a host of reporters and policemen and millions watching on television.

Belli has said, in effect, that Ruby did what thousands of outraged Texans wanted to do.

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Miss Holmes _____
Miss Gandy _____

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1 "Ft. Worth
Star Telegram"
Ft. Worth, Texas

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Author:

Editor: John Ellis

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THE OSWALD evidence would give the defender a look at FBI and Dallas police reports on the self-styled Marxist.

The defense also has filed a 30-page motion.

"The defense must prove Oswald was the man who assassinated the president and shot Officer Tippit," the motion states.

The motion also contends Ruby was temporarily insane when he killed Oswald.

The president's assassination, the wounding of Governor Connally and the slaying of Tippit "enraged their client to such an extent that their client was temporarily insane," the defense motion says.

Officers testifying for the state in the first part of the hearing said Ruby acted calm both at the time he shot Oswald and in questioning after he was arrested.

Judge Brown probably will rule during the bond hearing on Bell's announced intention of filing a motion for a change of venue and on his request that the murder trial be postponed from Feb. 3 to Feb. 10.



JACK RUBY



HENRY WADE



MELVIN BELL

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Levinson *Kelly*

UPI-19

(RUBY)

DALLAS--DAPPER JACK RUBY, THE MAN WHO SHOT AND KILLED ACCUSED PRESIDENTIAL ASSASSIN LEE HARVEY OSWALD, GOES BACK TO COURT TOMORROW TO CONTINUE HIS FIGHT FOR AT LEAST TEMPORARY FREEDOM.

IT WILL BE ONLY THE THIRD TIME SINCE RUBY SHOT OSWALD TO DEATH IN THE BASEMENT OF THE DALLAS CITY JAIL NOV. 24 THAT HE HAS BEEN OUTSIDE A JAIL CELL.

THE FIRST WAS WHEN HE WAS TRANSFERRED FROM THE CITY TO THE COUNTY JAIL. THE SECOND WAS DEC. 23 WHEN THE BOND HEARING ORIGINALLY BEGAN, AND WAS RECESSED AFTER ONE DAY.

PROSECUTION AND DEFENSE ATTORNEYS HAVE AGREED TO SUBMIT THE NIGHT-CLUB OPERATOR TO EXTENSIVE BRAIN TESTS. DIST. JUDGE JOE B. BROWN SAID RUBY WOULD BE GIVEN A SERIES OF "IMPARTIAL SCIENTIFIC BRAIN TESTS" BY A WELL-KNOWN PSYCHIATRIST.

MELVIN BELLI OF SAN FRANCISCO HEADS A BATTERY OF LAWYERS SEEKING TO HAVE RUBY RELEASED ON BOND. BELLI SAID THE PSYCHIATRIST AGREED UPON FOR TESTS IS DR. MARTIN TOYLER, PROFESSOR OF NEURO-PSYCHIATRY FOR THE UNIVERSITY OF TEXAS MEDICAL BRANCH AT GALVESTON.

THE DEFENSE HAS CLAIMED THAT THE BOARD CHAIRMAN OF PARKLAND HOSPITAL HAS REFUSED THE INSTITUTION'S FACILITIES FOR THE EXAMINATION. BOTH PRESIDENT KENNEDY AND OSWALD DIED AT PARKLAND HOSPITAL.

"RUBY IS NOT INDIGENT, AND EXAMINATIONS SUCH AS THAT REQUESTED COULD BE PERFORMED IN A NUMBER OF LOCAL DOCTORS' OFFICES, PRIVATE CLINICS AND AT TERRELL STATE HOSPITAL," SAID C. JACK PRICE, BOARD CHAIRMAN OF PARKLAND.

PRICE SAID THE REQUEST WAS FOR HOSPITALIZATION OF RUBY FOR THE TESTS AND SAID NORMALLY SUCH TESTS ARE CONDUCTED ON AN OUT-PATIENT BASIS.

BELLI, WHO ARRIVED SATURDAY BY JET, SAID HE FELT A "MOMENT OF TRUTH" WAS NEAR IN THE CASE. BELLI SAID THE DEFENSE IS ENTITLED TO FULL FBI REPORTS ON THE PRESIDENTIAL ASSASSINATION AND THE MURDERS OF OSWALD AND POLICEMAN J.D. TIPPI.

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WASHINGTON CAPITAL NEWS SERVICE

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Texas Authorities Say:

Police Cleared in Ruby Probe

DALLAS, Jan. 7 (UPI) — A complete investigation into the shooting of Lee Harvey Oswald showed no collusion between Dallas police and Oswald's self-appointed executioner, Jack Ruby, Dist. Atty. Henry Wade said today.

The probe into Oswald's death was a portion of a "complete and detailed" report on President Kennedy's assassination, and the events surrounding it, filed with the Texas Attorney General's Office at Austin.

OTHER FINDINGS

Atty. Gen. Waggoner Carr said the report included the findings by state and Dallas authorities on the President's murder, the wounding of Gov. John Connally, and the shooting of Dallas Policeman J. D. Tippit, as well as the slaying of Oswald.

He said the report also included "the attempted murder of Gen. Edwin Walker." A shot was fired thru a window in Gen. Walker's Dallas home last April, and Oswald's widow has been quoted as saying he indicated he was the sniper.

BLINDING LIGHTS

District Atty. Wade said the report dealing with Oswald's slaying includes two volumes. One contains evidence which prosecutors could use at Ruby's trial, he said, and the other contains documents, which "relate primarily to security measures in effect at the time."

He declined to discuss details.

In Ruby's bond hearing last month, Dallas Homicide Capt.

Will Fritz said the officers guarding Oswald were blinded by TV lights when Ruby dashed in front of cameras and killed the alleged assassin in front of a nationwide audience.

Mr. Carr said he would forward the entire probe to Washington's Warren Commission, the special group named by President Johnson to investigate the assassination and related events.

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The National Observer _____
"People's World" _____
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57 JAN 13 1964

JAN 7 1964



In the Offing

A Weekly Size-up by Members of the
Washington Staff of Scripps-Howard Newspapers

Was Ruby at the Hospital?

Jack Ruby, questioned behind bars in Dallas, has denied to Federal investigators that he made a hurried trip to Parkland Hospital after President Kennedy was taken there.

But investigators twice have talked at length to a witness who says he not only saw Ruby inside the hospital, but talked with him—between 50 and 80 minutes after Mr. Kennedy was carried into emergency surgery room No. 1.

FBI is attempting to find out how Ruby could have got inside the hospital, supposedly guarded by Dallas Police, at a time when reporters could not enter without showing credentials.

FBI also is probing three possible reasons for Ruby's denial he was there: Was he so upset emotionally that some of his movements have been blacked out of his memory? Is he denying the visit intentionally as the basis of a "temporary insanity" claim? Did he have a specific purpose for going to the hospital?

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Holmes ☒
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 Holmes ☒
 Gandy ☒

UPI-76

(RUBY)

DALLAS--JUDGE JOE B. BROWN TODAY EXTENDED UNTIL JAN. 24 THE RECESS IN THE BAIL BOND HEARING ON SELF-APPOINTED EXECUTIONER JACK RUBY.

THE CRIMINAL DISTRICT COURT JUDGE CITED A CONFLICT IN HIS TRIAL SCHEDULE IN EXTENDING THE RECESS FROM JAN. 10 UNTIL JAN. 24. RUBY, THE SLAYER OF ACCUSED PRESIDENTIAL ASSASSIN LEE HARVEY OSWALD, MUST REMAIN IN HIS CELL AT COUNTY JAIL UNTIL THEN, AT LEAST.

THE HEARING BEGAN DEC. 23. BROWN RECESSED IT UNTIL JAN. 10 BECAUSE OF THE LENGTHY EVIDENCE.

BROWN SAID HE MUST HEAR THE MURDER TRIAL OF WEBB WASHINGTON NEXT WEEK. WASHINGTON, A HANDYMAN, IS ACCUSED OF SLAYING MRS. SONIA GUE IN HER FASHIONABLE DALLAS HOME.

THE JUDGE SAID RUBY'S DEFENSE LAWYER, MELVIN BELLI OF SAN FRANCISCO, CALLED HIM TODAY TO REPORT THAT HE, TOO, WOULD BE OCCUPIED NEXT WEEK. BELLI IS TAKING PART IN A TRIAL IN OHIO AND TOLD BROWN HE COULD NOT BE IN DALLAS JAN. 10.

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WASHINGTON CAPITAL NEWS SERVICE

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 Tavel ☒
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 Tele Room ☒
 Holmes ☒
 Gandy ☒

Ruby Trial Expert's Record Notable

By Laurence Stern
 Staff Reporter

Dr. Manfred S. Guttmacher, Baltimore psychiatrist who has been retained in the defense of Jack Ruby, has a batting average better than .900 for his recommendations on the mental competency of defendants to stand trial.

Lawyers for Ruby engaged Guttmacher to provide expert testimony on their client's mental condition when he shot President Kennedy's suspected assassin, Lee Harvey Oswald, on Nov. 24.

Guttmacher has headed Baltimore's famous psychiatric court clinic for 33 years. The clinic, financed by the Supreme Bench of Baltimore, screens more than 400 persons a year who have been referred by the courts, probation officials and city prosecutors.

Guttmacher's recommendations on the mental competency of defendants have been accepted by the courts in more than 9 out of 10 cases.

An assistant to Guttmacher, Yale University psychologist Roy Schafer, yesterday concluded a two-day examination of Ruby in the strip-jail entrepreneur's Dalls County jail cell.

Schafer would give no details on the examination. He described it to newsmen as a "private consultation with a patient."

Ruby's lawyers have indicated that they will plead that Ruby was insane when he shot Oswald in Dallas police headquarters two days after a sniper's shots killed President Kennedy.

Guttmacher personally examined the defendant 10 days ago in Dallas. Guttmacher said yesterday that he plans to return to Dallas this week to continue the examinations.

Ruby's attorneys also engaged New York psychiatrist Dr. Walter Bromberg to work with Guttmacher in the case. Bromberg was associated with the New York court of general sessions for seven years and is the author of "Crime and the Mind."

R. H. H.

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F. L. E. H.

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 The Wall Street Journal ☒
 The National Observer ☒
 People's World ☒

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Costs of Ruby Defense May Exceed \$100,000

DALLAS, Tex., Dec. 31 (AP).—On offhand moment, an expert doing some work for the Jack Ruby defense team casually wondered aloud: "How are they going to pay for this?"

Guesses are the defense costs could be well over \$100,000.

The question comes up fairly often in view of the high-priced, high-powered talent preparing the defense for Ruby, the Dallas night club operator who killed Lee Harvey Oswald, accused assassin of President Kennedy.

Foremost of the Ruby defense team is Melvin Belli, the San Francisco trial attorney. Mr. Belli confirmed his services come high but pooch-pooched the suggestion that his fee was in the neighborhood of \$100,000.

"Aside from legal service," Mr. Belli said in a telephone interview, "there is considerable money spent on transportation, telephone calls, investigation."

Asked if he knew how this would be paid, Mr. Belli said: "I've heard the family in-

tends selling its two clubs in Dallas, but there have been unsolicited donations from nearly 400 persons, most of them attorneys."

Also on the defense are Attorneys Tom Howard of Dallas, Sam Brody of Los Angeles and Joe Tonahill of Jasper, Tex. In Chicago, Michael Levin serves as legal representative for the family.

Mr. Howard declined discussing his fee or the probable cost of the defense.

"I'd say that in a way it depends upon the family," he said.

Meanwhile, a Yale university psychologist, Dr. Roy Schafer, was examining Ruby.

Dr. Schafer, 41, said he is conducting the tests for Dr. Manfred Guttmacher, who has been realned as chief psychiatrist for the defense. Dr. Guttmacher is the chief medical officer for a Baltimore court.

Belmont ☒
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Handwritten notes and signatures:
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UPI-193

(RUBY)
 DALLAS--DR. ROY SCHAFER, A YALE UNIVERSITY PSYCHOLOGIST, EXAMINED JACK RUBY AT THE DALLAS COUNTY JAIL TODAY FOR ALMOST THREE HOURS.

SCHAFER, A PROFESSOR OF PSYCHOLOGY AT YALE, SAID HE PLANS AT LEAST TWO MORE MEETINGS WITH RUBY, WHO SHOT LEE HARVEY OSWALD, PRESIDENT KENNEDY'S ACCUSED ASSASSIN.

SCHAFER SAID HE IS CONDUCTING THE EXAMINATIONS FOR DR. MANFRED GUTTMACHER, CHIEF MEDICAL OFFICER FOR THE SUPREME BENCH OF MARYLAND.

GUTTMACHER HAS BEEN HIRED AS CHIEF PSYCHIATRIST IN THE RUBY CASE BY MELVIN BELLI, OF SAN FRANCISCO. BELLI IS RUBY'S CHIEF DEFENSE LAWYER.

GUTTMACHER EXAMINED RUBY ABOUT 10 DAYS AGO. BELLI INTENDS TO PLEAD RUBY INNOCENT BY REASON OF INSANITY.

12/30--N1002PES

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 128 JAN 8 1964

53 JAN 8 1964

WASHINGTON CAPITAL NEWS SERVICE

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Ruby Trial Tactics Outlined

By Bicknell Eubanks
Staff Correspondent of
The Christian Science Monitor

Dallas

Rough outlines of how prosecution and defense apparently will wage their courtroom battle when Jack Ruby, night-club operator, goes on trial on a charge of murdering Lee Harvey Oswald, the accused assassin of President Kennedy, have been sketched in preliminary skirmishing over whether Ruby should be freed on bond pending the beginning of his trial, scheduled for February.

The Ruby defense team of attorneys failed to get their client immediately released on bond. Judge Joe B. Brown of Criminal District Court No. 3 continued the hearing until Jan. 10, and Ruby remained in jail. Judge Brown told the opposing attorneys it would be better to wait until the holi-

days are over to continue the arguments.

Although he lost the first round in his effort to free his client, Melvin Belli of San Francisco provided a prologue of the courtroom tactics he will use in defending Ruby. He said he would seek to have the trial transferred to another county because Ruby, he said, would not be able to get a fair trial in Dallas.

Mr. Belli cited statements in the Dallas Morning News to back up his contention that his client could not get a fair trial in Dallas. Mr. Belli said the principal point of his objection to coverage by the News was the identification of a man with the attorney in a photograph run by the paper as a bodyguard.

Mr. Belli has said repeatedly that the principal defense will be that Ruby was temporarily insane at the time Oswald was shot and killed in the basement of the Dallas police headquarters. The accused assassin was about to be transferred to the state to await trial.

The defense attorneys indicated that a strong effort will be made to convince a jury that Ruby was upset so emotionally over the assassination of President Kennedy that he lost control of himself. A nationwide audience of millions of television viewers saw Ruby shoot Oswald fatally as he was about to be put into either an armored car or a police patrol car to be taken to the county jail.

The Ruby attorneys concede that there are any number of witnesses to testify that Ruby shot Oswald.

Mr. Belli began the bond

hearing by calling on Ruby's roommate, George Senator, to testify. Mr. Senator described Ruby as having been highly agitated by the killing of Mr. Kennedy. He told how he had gone with Ruby to check on a post-office box whose number had been given in an advertisement highly critical of President Kennedy. The ad was run in the Dallas Morning News on the day the late President came to this city. Mr. Senator also told how Ruby had taken pictures of a poster calling for the impeachment of Earl Warren, Chief Justice of the United States.

Mr. Belli also sought to make a point of statements made to newsmen by Chief Inspector Will Fritz of the Dallas Police Department that Oswald was guilty and by District Attorney Henry Wade that Oswald should be sent to the electric chair if he were guilty.

(Indicate page, name of newspaper, city and state.)

BOSTON GLOBE
Boston, Mass.

BOSTON HERALD
Boston, Mass.

BOSTON TRAVELER
Boston, Mass.

3 CHRISTIAN SCIENCE
MONITOR,
Boston, Mass.

RECORD AMERICAN
Boston, Mass.

Date: 12-30-63

Edition: NEW ENGLAND

Author: BICKNELL EUBANKS

Editor: ERWIN D. CANHAM

Title: JACK L. RUBY

Character:

or

Classification: 44-

Submitting Office: BOSTON

☐ Being Investigated

93
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47 JAN 8 1964

The Trial in Dallas 16

LAW enforcement procedures in Dallas, Texas, continue on their bizarre course with word a public relations firm has been commissioned by the court to handle press relations for the trial of Jack Ruby.

Services of the agency were offered, apparently free of charge, and the judge accepted because the company "has had considerable experience in dealing with the press."

Since the Constitution requires public trial in all criminal prosecutions, all the courts in the land might also be assumed to have had "considerable experience" in dealing with the press. This is the first time in U. S. history, so far as anyone can remember, that an outside agency has been engaged for the job.

In this case even a formal statement as to procedures is said to have been

prepared for the judge by the public relations agency.

"Thruout the trial of Jack Ruby," it assured, "due process of law will prevail in my court, and decorum will be maintained at all times by those participating in the trial, by the press and by the public witnessing the trial."

Those things usually are taken for granted, even without preliminary warning, and a judge has ample means to enforce them against any misbehaving member of the press, in form of contempt citations.

Admittedly the law-enforcement machinery of Dallas is under severe strain as result of the record in this case. Confidence in ability to manage the remainder of a difficult job, however, hardly is improved by the Ruby trial judge using a public relations firm to handle press relations.

Belmont ☒
Mohr ☒
Casper ☒
Callahan ☒
Glavin ☒
DeLoach ☒
Evans ☒
Gale ☒
Rosen ☒
Sullivan ☒
Tavel ☒
Trotter ☒
Tele Room ☒
Holmes ☒
Gandy ☒

The Washington Post and Times Herald ☒
The Washington Daily News 16
The Evening Star ☒
New York Herald Tribune ☒
New York Journal-American ☒
New York Mirror ☒
New York Daily News ☒
New York Post ☒
The New York Times ☒
The Worker ☒
The New Leader ☒
The Wall Street Journal ☒
The National Observer ☒
People's World ☒
Date ☒

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Close Watch Posted For Ruby Activities

Jack Ruby, fighting a legal battle for his life, sat in a jury room adjoining Judge Joe B. Brown's criminal district courtroom from 7 a.m. Monday until 10 a.m. when his bond hearing began.

Sheriff Bill Decker moved the prisoner to the empty room early to avoid his being escorted through a corridor packed with the crowd expected to arrive later for the hearing.

It was from a milling crowd

that Ruby stepped on Nov. 24 to gun down Lee Harvey Oswald, accused killer of President Kennedy, in the basement of the Dallas police station.

Decker's men kept close watch on the single door leading to the jury room where Ruby sat reading a book during his 3-hour wait.

When Ruby's attorney, Melvin Belli, arrived shortly before 10 a.m. and started for the door, Decker yelled across the courtroom: "Hey . . . oh, it's you, Mr. Belli. Go right in."

Scores of lawmen — sheriff's deputies and city police — were scattered throughout the building.

Four or five deputies at strategic points inside and just outside the building maintained radio contact with walkie-talkies.

Half a dozen plainclothesmen stood along courtroom walls observing spectators in the courtroom.

Two sat just behind the counsel table with their backs turned to Ruby, the lawyers and the judge while they watched all movements in the courtroom.

Everyone entering the courtroom was thoroughly searched by officers at the door. Newspapermen who left the courtroom and returned were frisked each time they entered.

When Ruby was returned to the jail from the courtroom, he was shielded by officers on every side as he was rushed down a corridor and through an iron door.

Mr. Tolson _____
Mr. Belmont _____
Mr. Mohr _____
Mr. Casper _____

Mr. Tamm _____
Mr. Nease _____
Miss Gandy _____

(Indicate page, name of newspaper, city and state.)

6
"The Dallas
Morning News"
Dallas, Texas

Date:

Edition:

Author:

Editor:

Title: Jack B. Krueger

Character:

or

Classification:

Submitting Office:

Dallas

93
66 JAN 10 1963

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LITTLE LYNN

'I'd Do Anything To Help Him...'

By JERRY RICHMOND
Staff Writer

"I came to help him," sniffled Little Lynn, "I'd do anything to help him."

She is 19, blue-eyed and weighs 117 on the jail scales.

Her name—when she isn't bumping and grinding and stripping at the Carousel Club—is Karen Lynn Bennett. As a woman, she could have been excused for carrying a lot of things in her purse.

But when jumpy sheriff's deputies locked inside... they saw a pearl-handled Beretta pistol wrapped in a scarf.

She had come to help a "real swell guy and real generous"—Jack Ruby. That was her description of her boss, the man accused of murdering President Kennedy's accused assassin and who was trying to get out on bail in the hearing Monday.

Tears streaking from beneath her dark glasses, furry-collared coat clutched to her chin, Little Lynn was quickly hustled from the hearing door to face a misdemeanor charge of carrying a concealed weapon.

"I was sick and I just came over here to help him," she sobbed. "I had forgotten about the gun in my purse. I picked up the bag this morning."

The pistol, a .25 caliber Italian automatic, had no bullets in it and the firing pin was disabled. Court bailiff Nell Tyler found it during the search of all persons entering the court of Dist. Court Judge Joe B. Brown.

She was allowed to testify and was later charged and bond set at \$1,000 by Judge Shelby Cox in a bizarre sidelight to the main bond hearing which was postponed until Jan. 10.

Ruby went back to his jail cell, but Little Lynn was freed when her bond was posted and she left the jail with defense attorney Tom Howard and defense investigator R. B. Denson.

The stripper's testimony may play an important part in Ruby's trial. His attorneys have said he came downtown that Nov. 24 to send a money order to Little Lynn. The time on the order was only a few minutes before 11:20 a.m.—the time Lee Harvey Oswald was shot.

Mr. Belmont _____
Mr. Mohr _____
Mr. DeLoach _____
Mr. Casper _____
Mr. Callahan _____
Mr. Conrad _____
Mr. Felt _____
Mr. Gale _____
Mr. Rosen _____
Mr. Sullivan _____
Mr. Tavel _____
Mr. Trotter _____
Tele. Room _____
Miss Holmes _____
Miss Gandy _____

(Indicate page, name of newspaper, city and state.)

/"The Dallas Times-Herald"
Dallas, Texas

Date: 12-24-63
Edition:
Author:
Editor: Felix R. McKnight
Title:

Character:
or
Classification:
Submitting Office: Dallas

59 JAN 3 1964



SHE WANTED TO HELP

Stripper Karen Lynn Bennett, 19, and her boss, Jack Ruby, were all smiles early in November when this photograph was taken. Miss Bennett, who worked at the Carousel Club under the name "Little Lynn," was released late Monday on \$1,000 bond after searchers found a pistol in her purse when she appeared to testify at Ruby's bond hearing before Judge Joe B. Brown.—AP Photo.

(Mount Clipping in Space Below)

Mr. Tolson	_____
Mr. Belmont	_____
Mr. Mohr	_____
Mr. DeLoach	_____
Mr. Casper	_____
Mr. Callahan	_____
Mr. Conrad	_____
Mr. Felt	_____
Mr. Gale	_____
Mr. Rosen	_____
Mr. Sullivan	_____
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Mr. Trotter	_____
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Miss Holmes	_____
Miss Gandy	_____

Ruby Loses Bid for Freedom

By CARL FREUND

Jack Ruby lost his bid for freedom Monday.

Judge Joe B. Brown ruled Ruby must stay in the county jail until Jan. 10. At that time, the judge said, he will hear more testimony if defense lawyers wish to renew their attempts to win Ruby's release on bond.

The balding, 52-year-old owner of a downtown strip club has been held without bond on a murder charge since Nov. 24. Detectives wrested a pistol from his grasp after he shot Lee Harvey Oswald, an embittered Marxist who had been accused of assassinating President Kennedy here.

MELVIN BELLI of San Francisco, the chief defense lawyer, told Judge Brown he plans to

offer additional testimony at the Jan. 10 hearing.

Belli also told the judge:

—Defense lawyers will formally request him to transfer Ruby's trial to another county since they are convinced he cannot get an impartial jury hearing here.

—They want Ruby's trial postponed from Feb. 3 to Feb. 10 "because of a conflict."

Belli gave The Dallas News a verbal lashing.

"WE SHALL move for a change of venue (transfer) because it is impossible to get a fair trial here in Dallas because of statements that have been made and now are being made by The Dallas News," he told Judge Brown.

Judge Brown denied bond after a 3½-hour hearing in Criminal District Court No. 3 where

Sheriff Bill Decker and his deputies searched reporters and spectators.

They took a pistol from Karen Lynn Bennett, a 19-year-old stripper who had been called

as a defense witness. Decker said the honey blonde, who has stripped under the name "Little Lynn," was carrying the pistol in her purse.

PROSECUTORS charged her with carrying a concealed weapon.

Judge Brown's ruling represented a victory for Dist. Atty. Henry Wade and three assistants—A. D. Jim Bowie, William F. Alexander and Frank Watts.

It marked a setback for Belli, a much-publicized West Coast lawyer-author, and other defense attorneys.

Ruby's sister, Mrs. Eva Grant, sat on a courtroom bench and wept after Judge Brown refused to let the slayer leave jail.

DECKER SAID he would allow her to visit Ruby during the afternoon.

State laws give a judge the right to deny bond in a murder, armed robbery or rape case if he thinks the death penalty is likely.

Ruby's lawyers relied heavily on testimony of George Senator, his friend and roommate.

Senator said Ruby was so upset by the Kennedy assassination that he wept and made a pre-dawn trip to the post office, where he protested a full-page Dallas News ad critical of the late president.

BELLI SAID Ruby was still "highly agitated" when he shot

(Indicate page, name of newspaper, city and state.)

"The Dallas Times-Herald" Dallas, Texas

Date: 12-24-63
Edition:
Author:
Editor: Felix R. McKnight
Title:

Character:
or
Classification:
Submitting Office: Dallas

66 JAN 10 1964

Oswald in the City Hall basement.

A defense witness testified, however, that Ruby appeared calm when he wired \$25 to Miss Bennett in Fort Worth minutes before the shooting.

The witness, Doyle Edward Lane, a Western Union office worker, said he had known Ruby about a year and noticed "nothing unusual" about the appearance of the night club owner.

Wade called only two witnesses.

THEY WERE Homicide Captain Will Fritz and Detective James R. Leavelle, who were transferring Oswald from his

appeared nervous. He blinked his eyes and moistened his lips repeatedly as Leavelle described the shooting of Oswald.

Then, as Senator testified, Ruby crumpled a piece of paper and held it over his mouth. He managed a brief smile for his sobbing sister as deputies hustled him from the courtroom after the hearing ended.

Belli was especially critical of a Dallas News story which reported that he had a bodyguard following him through the Love Field terminal after arriving there from San Francisco Friday.

The man was identified later

city jail cell to the county jail when Ruby shot him while thousands watched on television. Leavelle was handcuffed to Oswald when the bullet ripped through the abdomen of the 24-year-old assassination suspect.

Leavelle said he believes Ruby tried to fire other shots, but the tight grip of another detective blocked the club owner from discharging his .38-caliber revolver again.

RUBY APPEARED relaxed as he entered the courtroom between two lines of officers. They used walkie-talkie radios to stay in contact with others around the building.

Ruby wore a charcoal suit, white shirt and gray tie for his first appearance outside the jail in almost a month.

Ruby smiled as he shook hands with his lawyers and a photographer.

He called "Hello, how are you?" to another photographer.

(Judge Brown allowed cameramen in the courtroom before testimony started, but ordered them to leave as the hearing began.)

as Robert B. Denson of Tri-State Detective Agency here.

BELLI DENIED Denson was a bodyguard. Denson, who shouldered aside two reporters and stood directly behind Belli, had refused to identify himself at the time and asked cameramen not to photograph him.

Denson's private investigations led to his arrest and indictment by a federal grand jury on a wire tapping charge in 1961. He pleaded guilty to a charge of tapping a long-distance conversation and was assessed a fine and suspended sentence.

THE COURT later reduced the fine.

As he strode from Judge Brown's courtroom, Belli held an informal press conference while cameras flashed.

"That Dallas News story about the bodyguard, and others it has published, keeps Ruby from getting a fair trial here," he said. "The story was highly prejudicial. This was the same newspaper which published that ad (the Nov. 22 ad which criticized President Kennedy)."

LATER, HOWEVER, Ruby



—Dallas News Staff Photo by Tom C. Dillard.

Jack Ruby, center, gestures in courtroom conference with lawyers Joe Tonahill, left, and Melvin Belli.

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AT HEARING

Feel Fine, Says Natty Jack Ruby

there was one time he was touched by a bit of apprehension. When a photographer suddenly approached behind him, he whirled with a quizzical expression on his face.

Around the rail in the courtroom, sheriff's deputies were seated in chairs so that they looked in all directions. One of them tuned in one of the 16 two-way radios which were spotted with lawmen around the courthouse.

"I feel wonderful," said Jack Ruby.

He was wearing a dark blue suit with a white tie, his thinning hair was neatly combed and he took off his glasses when he noticed photographers taking his picture as he walked into the courtroom at 9:45 a.m. Monday.

The chunky strip-joint operator took a seat between his lawyers, Melvin Belli and J. H. Tonahill.

"Where's Tom?" he asked and then turned around and shook hands with his other lawyers, Tom Howard and Phil Burleson.

HE TALKED in a low voice to his legal help.

Ruby shook hands with a photographer he recognized. He shook hands with Sheriff's Deputy Alan Sweatt and said, "Thanks, Alan." He greeted George Sanderson of KRLD and waved at him.

Then the photographers shot pictures of Sheriff Bill Decker, who had led the phalanx of deputies surrounding Ruby when he was transferred early Monday.

"Bill Decker don't want no publicity," said Ruby. He laughed, "Thanks, Bill."

AT ONE TIME he showed Mr. Belli a copy of a telegram and Mr. Belli took it and asked, "You know who this could be, Tom?" Mr. Howard said he didn't know.

Ruby exuded confidence out

Mr. Tolson	_____
Mr. Belmont	_____
Mr. Mohr	_____
Mr. DeLoach	_____
Mr. Casper	_____
Mr. Callahan	_____
Mr. Conrad	_____
Mr. Felt	_____
Mr. Gale	_____
Mr. Rosen	_____
Mr. Sullivan	_____
Mr. Tavel	_____
Mr. Trotter	_____
Tele. Room	_____
Miss Gandy	_____

(Indicate page, name of newspaper, city and state.)

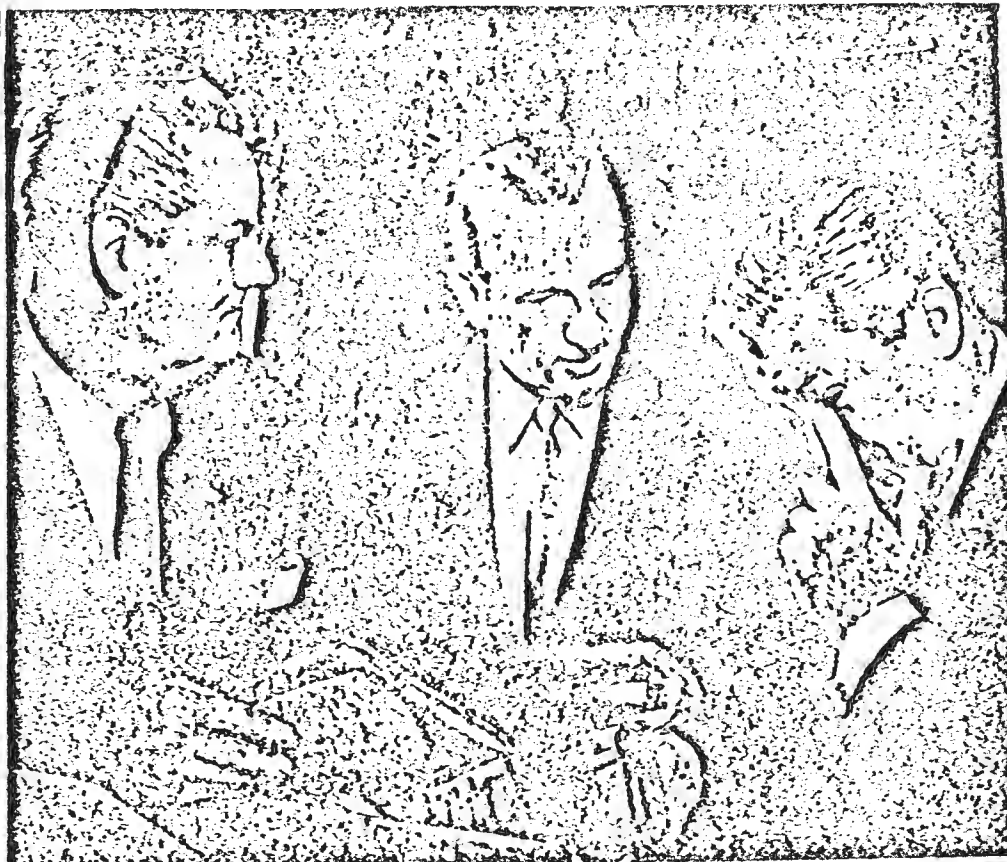
1- "THE DALLAS TIMES
HERALD"
DALLAS, TEXAS

Date: 12-23-63
Editions:
Authors:
Editor: FELIX R. MCKNIGHT
Title:

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☐ Being Investigated

File
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66 JAN 10 1964



DEFENSE CONFERENCE

Smiling Jack Ruby, center, confers with two of his defense attorneys shortly before a hearing before Dist. Judge Joe B. Brown to determine whether the nightclub operator can leave his county jail cell under bond. At left is J. H. Tonabill of Jasper, Tex., and at right, chief defense attorney Melvin Belli of San Francisco. Staff

Photo.

(Mount Clipping in Space Below)

Both Sides Continue Arguments on Ruby

By JOHN GEDDIE

Legal spokesmen on both sides of the Jack Ruby case took no day of rest in their running argument over psychiatric examinations Sunday—the eve of Ruby's bond hearing.

Bill Alexander, assistant district attorney, said Ruby's attorney, Melvin Belli, told him Sunday that he may never allow a state psychiatrist to see Ruby.

Belli told The News he understood that a state doctor had seen Ruby and "I can't let him be examined by psychiatrist after psychiatrist until one comes up with the answer they (the prosecution) want."

Sunday's fireworks, peppered with obvious anger on both sides, are when Alexander called Belli about Belli's statement offering to allow the FBI to make psychiatric tests of Ruby.

"I refused to let our psychiatrist see Ruby," Alexander said. "When asked when we might know we'd ever get to give him an examination."

He also charged that Dr. Manfred Guttmacher, chief medical officer for the supreme bench (trial court) of Baltimore, Md., a psychiatrist brought here by Belli, does not believe in the death penalty or existing sanity laws concerning right and wrong.

"Ask him this," Alexander said: "Does he think the detec-

tor would show when 50 million people saw it on television?" He referred to the shooting of Lee Harvey Oswald, accused assassin of President Kennedy, in the City Hall basement. Belli earlier offered to let the FBI make polygraph and truth serum tests.

Belli, reached at his Hotel Adolphus room, said Ruby told him Saturday that shortly after the shooting he had asked Bill Alexander if he should talk with a state doctor.

"You're my friend, should I talk?" Belli quoted Ruby as saying. (Alexander admitted that he told Ruby to submit to examination and that the state wanted to determine his true mental condition.)

Belli continued: "It's obvious that they are unsure of their psychiatrist."

Alexander countered: "One interview is not conclusive."

Meanwhile, Belli's psychiatrists, Dr. Walter Bromberg of Katonah, N.Y., and Dr. Guttmacher, returned to their homes. The two will not attend the bond hearing at 10 a.m. Monday in Judge Joe B. Brown's court.

Alexander said he expected "no fireworks" at the hearing. He indicated that the "form-book writ of habeas corpus" would not suffice to extricate Ruby for Christmas.

Dist. Atty. Henry Wade has said repeatedly that Ruby will not be released "because the law does not provide for release in capital cases."

A heavy guard has been promised for Ruby during the hearing. The small courtroom will provide his first public appearance since the nationally televised slaying of Oswald Nov. 24.

Mr. Tolson _____
Mr. Belmont _____
Mr. Mohr _____
Mr. DeLoach _____
Mr. Casper _____
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Mr. Conrad _____
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Mr. Gale _____
Mr. Rosen _____
Mr. Sullivan _____
Mr. Tavel _____
Mr. Trotter _____
Tele. Room _____
Mr. Holmes _____
Miss Gandy _____

(Indicate page, name of newspaper, city and state.)

"The Dallas Morning News" Dallas, Texas

Date: 12-2-63
Editions:
Author:
Editor:
Title: Jack B. Krueger

Character:
or
Classification:
Submitting Office: Dallas

44-24016-A-
NOT RECORDED
128 JAN 10 1964

9 JAN 16 1964

44-24016
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HOWARD AND BURLESON HAD NO COMMENT. BELLI, ASKED WHETHER THE DALLAS ATTORNEYS WERE OUT OF THE CASE, SAID "NOT THAT I AM AWARE OF." NEITHER HOWARD NOR BURLESON WERE WITH BELLI AND HIS ASSOCIATES WHEN THEY CONFERRED IN RUBY'S JAIL CELL YESTERDAY. BELLI ALSO WITHDREW AN ORIGINAL PETITION FOR BOND FILED BY HOWARD AND SUBMITTED ANOTHER PETITION IN ITS PLACE.

IT WAS EXPLAINED THAT THE FIRST WRIT MENTIONED BAIL FOR PSYCHIATRIC EXAMINATIONS. TONAHILL SAID IT WAS FEARED THAT THE PETITION MIGHT BE INTERPRETED TO MEAN ONLY TEMPORARY BAIL.

"WE WANT A PERMANENT BOND SET IN MONDAY'S HEARING," HE SAID.

TELEPHONE COMPANY WORKMEN WERE BUSY PUTTING UP EXTRA LINES OVER THE WEEKEND INTO A PROBATE COURT ROOM WHICH WILL SERVE AS A TEMPORARY PRESSROOM FOR REPORTERS.

SPECIAL PASSES WERE ISSUED TO ALLOW AUTHORIZED REPORTERS FOR ADMITTANCE TO JUDGE BROWN'S SMALL COURTROOM.

RUBY HAS BEEN UNDER HEAVY GUARD AT HIS CELL BLOCK. SHERIFF BILL DECKER WOULD NOT DISCLOSE WHAT PRECAUTIONS HE PLANS TO TAKE DURING THE TRIAL.

SEVERAL FBI AGENTS VISITED RUBY YESTERDAY. BELLI SAID HE WAS TURNED DOWN ON AN OFFER TO LET THE FBI MAKE ANY KIND OF "SCIENTIFIC TEST THEY WANT."

12/22--TD419PES

Ruby Interviewed By Psychiatrists

By JERRY RICHMOND
and JIM FEATHERSTON
Staff Writers

Two nationally known psychiatrists began Saturday an "extensive examination" of Jack Ruby in a defense effort to prove Ruby was temporarily insane when he shot Lee Harvey Oswald.

The psychiatrists were accompanied by defense attorney Melvin Belli of San Francisco and two of his assistants in their visit with Ruby in the Dallas county jail.

A bond hearing for Ruby will be held Monday in District Judge Joe B. Brown's court. He will make his first appearance outside the county jail in a month.

Dr. Manfred Guttmacher, chief medical officer for the Supreme Bench of Baltimore, and Dr. Walter Bromberg, clinical director of the Pinewood Psychiatric Hospital in Westchester County, New York, spent several hours with Ruby.

They indicated they would examine him again before leaving Dallas Sunday.

"We intend to make a very extensive examination before we leave Dallas," Dr. Guttmacher said. He would not comment further on their examination of the man who shot President Kennedy's accused assassin in the basement of City Hall.

Mr. Belli, who remained with Ruby from 9 a.m. to 5:15 p.m. Saturday, said he told the FBI Ruby would cooperate with any psychiatric, lie-detector, or other scientific tests the FBI desired.

He said FBI agents told him they did not want to make any such tests.

"The offer is still good," Mr. Belli said.

Dr. Guttmacher is co-author of a book entitled "Psychiatry and the Law." Mr. Belli displayed a copy of the book to reporters Friday. Immediately after the psychiatrists left Ruby's cell Saturday.

Two Federal Bureau of Investigation agents visited Ruby. They remained with him for almost three hours. Mr. Belli and his two assistants, Vasilios Choulos and Sam Brody, remained in Ruby's cell with the agents.

BATTLE EXPECTED

A heated legal battle over the state's psychiatric findings is expected Monday.

This issue between the defense, represented by Melvin Belli and five associates, and Dist. Atty. Henry Wade and his assistants, may be the key to whether Ruby goes free on bail until his Feb. 3 trial.

The defense is expected to attempt to question Dr. John T. Hol-



JACK RUBY
Hearing Set Monday

brody, who examined Ruby shortly after he was transferred to the Dallas County jail on Nov. 25.

The doctor is not believed to have submitted a written report to the district attorney's office, but prosecutors have indicated they had a verbal report.

The district attorney's office has said the state will fight any attempt by the defense to put Dr. Holbrook on the stand.

WRIT FILED

A writ of habeas corpus was filed Friday by Mr. Belli claiming that Ruby is illegally confined. "There was insufficient evidence of petitioner's guilt presented to the grand jury to support an indictment," he claimed in the writ.

The new writ superseded one filed Dec. 16 by attorney Howard. Mr. Howard's writ asked for bail "in order that he (Ruby) may have proper psychiatric examination which can not be properly obtained while in confinement."

In another development a source told The Times Herald Saturday that about a week after Ruby was transferred to the county jail he refused to take a polygraph test

requested by the Dallas Police Dept.

However, defense attorney Tom Howard said he didn't think the police had offered such a test. He said he and his client had agreed that Ruby would submit to a test with questions concerning only a possible connection between Ruby and Oswald.

Mr. Belli said Friday that Ruby would be willing to take a polygraph test on "any" subject.

Mr. Belmont
Mr. Mohr
Mr. Casper
Mr. Callahan
Mr. Conrad
Mr. DeLoach
Mr. Evans
Mr. Gale
Mr. Rosen
Mr. Sullivan
Mr. Tavel
Mr. Trotter
Tele. Room
Miss Gandy

(Indicate page, name of newspaper, city and state.)

1 - "The Dallas Morning News" Dallas, Texas

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Author:

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Title: Jack B. Krueger

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or

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UPI-135

(RUBY)

DALLAS--FAMED CRIMINAL LAWYER MELVIN BELLI SAID TODAY HE WAS SURE GLADY JACK RUBY WOULD BE IN NO DANGER IF A COURT GRANTS THE KILLER OF PRESIDENT KENNEDY'S ACCUSED ASSASSIN FREEDOM ON BAIL.

BELLI, ARRIVING FROM SAN FRANCISCO FOR A STRATEGY CONFERENCE WITH THE SIX OTHER MEMBERS OF RUBY'S LEGAL DEFENSE TEAM, SAID A DEFENSE PSYCHIATRIST WOULD EXAMINE RUBY IN JAIL THIS WEEKEND, BEFORE THE HEARING MONDAY ON A WRIT DESIGNED TO FREE HIM ON "REASONABLE BOND."

BELLI, DRESSED IN A FUR-COLLARED COAT AND WEARING SUNGLASSES DESPITE GLOWING SKIES AND DRIZZLE, SAID HE WOULD WELCOME A POLYGRAPH (LIE DETECTOR) TEST FOR RUBY "IN REGARD TO ANYTHING."

"WE ARE GOING TO GIVE RUBY SOMETHING LIKE THIS OURSELVES," HE SAID. CRIMINAL DIST. COURT JUDGE JOE B. BROWN SAID EARLIER HE WAS ALL SET FOR THE HABEAS CORPUS HEARING MONDAY FOR THE STRIPTHEASE NIGHT CLUB OWNER WHO SHOT LEE HARVEY OSWALD NOV. 24.

BELLI SAID THAT IF RUBY WAS RELEASED ON BOND PENDING HIS MURDER TRIAL NEXT FEB. 3, HE WAS CONFIDENT HIS CLIENT NEED NOT FEAR THE TREATMENT HE METED OUT TO OSWALD.

"THE PEOPLE OF DALLAS ARE AS LAW-ABIDING AS THE PEOPLE OF SAN FRANCISCO," BELLI SAID. "OUR PEOPLE WILL PROTECT HIM."

ATTORNEY J.H. TONAHILL OF JASPER, TEX., FORMER HEAD OF THE TEXAS BAR AND A MEMBER OF THE DEFENSE TEAM, CHIMED IN: "RUBY ISN'T WORRIED."

ADDED BELLI: "WE ARE HERE TO GET HIM OUT ON BAIL." ASKED ABOUT THE BAN ISSUED YESTERDAY BY JUDGE BROWN ON RADIO AND TELEVISION LIVE COVERAGE OF THE HEARING AND THE TRIAL, BELLI REPLIED:

"ANY WAY YOU WANT TO CONDUCT THE TRIAL IS ALL RIGHT." BELLI, WHOSE SPECIALITY IS WINNING PERSONAL INJURY CASES FOR SUMS IN THE HUNDREDS OF THOUSANDS OF DOLLARS, ARRIVED CARRYING A BOOK, "PSYCHIATRY AND THE LAW."

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WASHINGTON CAPITAL NEWS SERVICE

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Ruby's Counsel Calls Psychiatrist, To Bond Hearing

DALLAS, Dec. 20 (AP) — Defense lawyers want a psychiatrist who examined Jack Ruby for the State to appear at his bond hearing Monday.

Counsel for the Dallas night club owner, who killed the man accused of assassinating President Kennedy, had demanded earlier that a report by Dr. John T. Holbrook be made available.

Aides of District Attorney Henry Wade, for whom Dr. Holbrook interrogated Ruby in his jail cell, replied that the psychiatrist had made no written report. They said he has expressed belief that Ruby was sane November 24 when he shot Lee Harvey Oswald.

A subpoena filed yesterday directs Dr. Holbrook to appear for the hearing Monday and bring records he prepared after examining Ruby.

District Judge Joe B. Brown will decide at the hearing whether Ruby should go free under bond.

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UPI-36F

(RUBY)

CHICAGO--A BROTHER OF JACK RUBY SAID TODAY THERE HAS BEEN "A VERY GOOD RESPONSE FROM ALL OVER THE COUNTRY" FROM PERSONS WANTING TO HELP PAY THE COSTS OF RUBY'S TRIAL.

RUBY IS BEING HELD IN DALLAS FOR THE SLAYING OF LEE HARVEY OSWALD, ALLEGED ASSASSIN OF PRESIDENT KENNEDY.

THE BROTHER, HYNEN RUBENSTEIN, SAID 300 TELEGRAMS AND 2,000 LETTERS HAVE BEEN RECEIVED FROM "FRIENDS AND SYMPATHIZERS FROM ALL OVER THE COUNTRY."

SOME ENCLOSED CHECKS OR CASH, AND OTHERS MADE PLEDGES, RUBENSTEIN SAID.

"THERE ARE A FEW CRACKPOTS," RUBENSTEIN SAID, "BUT MOST ARE VERY SYMPATHETIC WITH MY BROTHER JACK."

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WASHINGTON CAPITAL NEWS SERVICE

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Big Money Backs Ruby, Official Says

DALLAS, Tex., Dec. 14 (AP). — District Attorney Henry Wade says that "somebody with lots of money" wants Jack Ruby found innocent of a murder charge.

Mr. Wade made the statement yesterday when a reporter asked if he knew where Ruby was getting money to hire West Coast lawyers and a nationally known psychiatrist.

Ruby has hired two California lawyers, another in East Texas and a fourth in Dallas. They say they are arranging for "the very best psychiatrist available" to examine the night club owner.

"We haven't determined where Ruby or his relatives are getting their money, but it's obvious that somebody with lots of money wants Ruby found innocent," the District Attorney said.

Melvin Belli of San Francisco, the chief defense lawyer, said a brother, Earl Ruby of Detroit, arranged for him to represent the defendant. Mr. Belli declined to discuss the fees defense lawyers would get or arrangements for paying them.

Mr. Belli said also that he had arranged to post a \$100,000 bond if Judge Joe B. Brown would allow Ruby to go free on bail while awaiting his February 3 trial.

Mr. Wade noted that bondsmen here customarily charge 15 per cent of the amount of the bond.

Mr. Belli refused to say who would put up the money for Ruby's bond.

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UPI-14

(RUBY)

DALLAS--DOGGEDLY OPPOSED LAWYERS IN THE JACK RUBY MURDER TRIAL WAGED A SPIRITED OUT-OF-COURT BATTLE TODAY OVER THE ONLY LEGAL CASE RESULTING THUS FAR FROM PRESIDENT KENNEDY'S ASSASSINATION.

RUBY, 52, CHARGED WITH KILLING SUSPECTED ASSASSIN LEE HARVEY OSWALD, WAS SHIELDED FROM THE ATTORNEYS' JOUSTING BY JAIL BARS AND A HEAVY GUARD. THE LAWYERS' EXCHANGES WERE THROUGH NEWS MEDIA.

THE FIGHT TODAY WAS DALLAS DIST. ATTY. HENRY WADE VS. FAMED MELVIN BELLI OF SAN FRANCISCO, RUBY'S NEWLY-APPOINTED DEFENSE LAWYER.

NEWS SOURCES HAVE QUOTED BELLI AS SAYING HE WOULD WORK TO HAVE THE TRIAL MOVED FROM DALLAS AND WOULD SEEK RUBY'S RELEASE UNDER BOND.

"WE THINK THE RUBY CASE CAN BE TRIED IN DALLAS AND HE CAN OBTAIN A FAIR TRIAL HERE," WADE SAID. "WE DON'T THINK THIS IS A BONDABLE CASE BECAUSE THE LAW PROVIDES THAT IN NO CASE WHERE THE DEATH PENALTY IS PROPER PUNISHMENT CAN BAIL BE MADE."

BELLI SAID HE WOULD RETURN TO DALLAS NEXT FRIDAY FROM THE WEST COAST. IT WAS REPORTED THAT HE HAD \$100,000 FOR BOND AND SOME SOURCES SAID A VENUE CHANGE REQUEST WAS EXPECTED THEM.

"IT'S OBVIOUS," WADE SAID, "THAT SOMEBODY WITH LOTS OF MONEY WANTS RUBY FOUND INNOCENT."

"WE HAVEN'T DETERMINED WHERE RUBY OR HIS RELATIVES ARE GETTING THEIR MONEY," WADE SAID, NOTING THAT BELLI HAS THE REPUTATION OF BEING A HIGH-PRICE ATTORNEY AND THAT THE BONDMAN'S FEE ORDINARILY IS 15 PER CENT OF THE AMOUNT OF BOND--\$15,000 ON A \$100,000 BOND.

THE MURDER TRIAL IS SET FOR FEB. 3, BUT THERE MAY BE A PRE-TRIAL SANITY HEARING.

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WASHINGTON CAPITAL NEWS SERVICE

(Mount Clipping in Space Below)

Psychiatrist Said Finding Ruby Sane

Official Reports of Test Not Yet Disclosed by State

By JIM FEATHERSTON, Staff Writer

A Dallas psychiatrist who examined nightclub operator Jack Ruby found no traces of insanity in the man who marched through a cordon of police to kill accused assassin Lee Harvey Oswald, responsible sources told The Times Herald Thursday.

Ruby's attorneys have said they will plead temporary insanity in his defense.

The self-appointed executioner was examined by the psychiatrist a short time after he was transferred from City Jail to his County Jail cell.

At the time of the examination, the source told The Times Herald, the psychiatrist found no trace of insanity.

Official report of the examination, requested by the state, may not be made until the psychiatrist testifies at Ruby's trial in February.

NO COMMENT

The district attorney's office refused to comment on results of the examination until that time.

"I don't want to go into the evidence," said Dist. Atty. Henry Wade. "I don't want to try this case in the newspapers."

He did say, however, that Ruby's attorneys are the only ones who have pronounced him insane and told a newsmen he could draw his own conclusions.

Although the district attorney shied at commenting on evidence in the murder of Oswald in the City Hall basement, he offered a carefully worded opinion of Ruby's newest attorney, Melvin Belli.

Mr. Belli's background as a successful defense attorney on the West Coast was fully reported by newsmen who met him at a series of press conferences following his arrival in Dallas.

"This international lawyer, Melvin Belli from San Francisco, who has recently travelled ex-



DR. ROBERT F. GOHEEN
"... a sense of purpose."

tensively in Russia and written a book entitled "The Russian Life and Law," is an interesting, if not intriguing, person," said Mr. Wade.

The district attorney said that after flying to Dallas and talking with Ruby, "Belli then announces to the press that Ruby is a fine, conscientious citizen but in the next breath he announces Ruby insane."

"It has been almost three weeks and the only persons that have pronounced Ruby insane are his own attorneys," said Mr. Wade.

Mr. Wade said Dallas is well staffed with competent psychiatrists.

"But according to his (Belli's) press releases, Belli states that he will bring his own psychiatrist to Dallas in addition to furnishing the defendant legal counsel. He is indeed an intriguing attorney," the district attorney said.

(Indicate page, name of newspaper, city and state.)

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"THE DALLAS TIMES-
HERALD"
DALLAS, TEXAS

Date: 12/12/63

Edition:

Author:

Editor: FELIX R. McKNIGHT

Title:

JACK E. RUBY, aka
LEE HARVEY OSWALD, AK

Character: VICTIM; CR

or

Classification:

Submitting Office: DALLAS

☐ Being Investigated

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Belli, Top U. S. Trial Lawyer, To Head Ruby's Defense Staff

DALLAS, Dec. 11 (AP)—A Californian considered one of the Nation's foremost trial lawyers will head the defense staff at the murder trial of Jack Ruby, who killed the accused assassin of President Kennedy.

The lawyer, Melvin Belli (pronounced Bell-eye) of Los Angeles and San Francisco, said last night he was undertaking Ruby's defense "and I'm going to lead on it."

Mr. Belli, author of 28 law books and a past president of the American Academy of Trial Lawyers, said Ruby, 32, will plead not guilty by reason of insanity.

Asked if he believed Ruby could receive a fair trial in Dallas, Mr. Belli said: "There is no assumption that he cannot." He added there was no plan at present to ask a change of venue.

February Trial Set

Ruby's trial for murder in the shooting of Lee Harvey Oswald, 24, the accused assassin, is set for February 3 before District Judge Joe B. Brown of Dallas.

Judge Brown said three national networks or their affiliates have asked to televise the trial. "I've done a lot of thinking and praying about it," he said, "but I don't know about it yet."

Ruby shot Oswald before a Nation-wide TV audience November 24 as he was being transferred from Dallas city hall to the county jail, where Ruby now is held without bond.

Contacted by Relatives

Mr. Belli said relatives of Ruby contacted him soon afterward but he could not commit himself then. One reason, he said, was a murder trial in Los Angeles which went to a jury yesterday.

"I also wanted to be certain that there was no connection between Jack Ruby and Oswald, or between Ruby and anybody else," he said.

Mr. Belli said he did not believe Ruby "was just a publicity seeker" and he was convinced Ruby had no association with Oswald or any conspiracy.

After talking to Ruby in his cell, Mr. Belli said:

"He's sincere, disturbed and troubled. He's not all the type of man I expected."

In the lineup for Ruby's defense with Mr. Belli are Sam S. Brody, 37, a Los Angeles legal associate; Joe Tonahill, 55, of Jasper, Tex., another associate; and Tom Howard and Jim Martin, Dallas lawyers.

District Attorney Henry Wade of Dallas has said he will ask the death penalty for Ruby.

Mr. Belli is known as a man who has a way with juries. He is 55, and a resident of San Francisco, and maintains offices there and in Los Angeles.

He has enjoyed enormous success in personal injury damage suits. Mr. Belli and his associates, it is said, have won more than 100 judgments of more than \$100,000 each, in-

cluding a single award of \$675,000.

Suave, urbane and polished in private society, Mr. Belli takes on some of the razzle-dazzle and earthly vigor of the old-time Chatauqua man in the courtroom.

Grotesque Exhibits

He delights in unveiling grotesque exhibits such as an old skeleton he calls Elmer and a department store window manikin. He is also fond of elaborate charts, maps, floor plans, aerial photographs and any other kind of visual aid or demonstration in the courtroom.

"There is no law against interesting a jury," he once remarked.

Mr. Belli personal appearance is striking. He is handsome,

tending slightly to portliness, with wavy silver-gray hair and gray eyes.

He dresses elegantly, with a deliberate touch of the exotic. He buys his suits a half-dozen at a time in London's Saville Row.

"They're not terribly expensive," he says, "but when you figure the trip over there and back, and three days on the Riviera, it adds up."

Mr. Belli's personal trademarks are his wine-red Italian velvet briefcase, his black heavy-plastic framed glasses and the black boots he always wears in court.

Much of his energy in recent years has gone into writing books on personal injury trial methods and conducting seminars on forensic medicine and personal injury law.

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Attorney Melvin Belli (right), California trial lawyer, talks with Texans Tom Howard (left) and Joe Tonahill after taking over as chief defense counsel in the Jack Ruby case.—AP Wirephoto.

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Ex-Secret Service Chief Is Critical

Was There a Slip on JFK?

By SETH KANTOR
 Scripps-Herald Staff Writer

The manager of the Texas School Book Depository building in Dallas "should have been under firm instructions by the police" to keep people out of the upper stories of the building when President Kennedy passed by Nov. 22.

Such instructions are "a basic, established rule," said M. E. Baughman, former chief of the U. S. Secret Service, the agency charged with protecting a President's life.

NOT ENOUGH MEN

Mr. Baughman said "the Secret Service doesn't have enough manpower to have placed its men in downtown Dallas buildings, to safeguard the President on every floor."

"The Dallas police force isn't big enough, either, to have covered everything at once. That's why building managers have to be instructed, in no uncertain terms, to bar unauthorized movements in key buildings during presidential motorcades."

According to Mr. Baughman, "it was always standard procedure for the Secret Service, thru the local police, to insist that building managers follow rigid rules to protect the President."

This was true "in all buildings along Pennsylvania-av during presidential inaugural parades and in buildings along out-of-town motorcade routes" during Mr. Baughman's years from 1927 to 1961 with the Secret Service.

As the last building on the western edge of downtown Dallas, the Texas School Book Depository building "certainly had to be considered a key building as a place from which to shoot the President," said Mr. Baughman.

STORAGE

Upper floors of the seven-story orange brick structure were being used for storage purposes.

Lee Harvey Oswald, charged with the murder of President



—UPI Telephone
 Melvin Belli (above) of San Francisco now heads a four-lawyer team defending Jack Ruby in the Oswald assassination. Mr. Belli who showed up in Dallas wearing cowboy boots and a fur-collared overcoat, spent nearly two hours in Ruby's cell, then announced: "We will plead him not guilty by reason of insanity. My eyes were moist when he recounted what he went thru. I've never seen a more sincere fellow than Jack. His story hasn't been told..."

Kennedy before he himself was slain two days later, was an employee of the book depository and as such "wouldn't have been considered a suspicious person by his employer (R. S. Truly)," said Mr. Baughman.

"Mr. Truly should have been under strict orders not to allow any person, an employee or not, into the upper floors, which were deserted except for stocks and supplies, following customary Secret Service rules."

Mr. Baughman suggested that "customary" rules might not have been observed during Mr. Kennedy's trip to Texas because "the President just had completed a trip to Florida. Maybe the Secret Service was too short on

time to take every necessary step for his protection in Dallas."

Asking aloud whether there was "a breakdown in law enforcement communication before the President's arrival in Dallas," Mr. Baughman said there should be "a complete investigation into how much the FBI knew about Oswald" before Nov. 22.

"The FBI should have notified the Secret Service and the Dallas police that Oswald was working in Dallas. If reports are true from those close to Oswald that the FBI had talked to him and his wife on separate occasions in the weeks immediately prior to the President's trip to Dallas."

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- The Washington Post and Times Herald ☒
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- People's World ☒
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DEC 11 1963

79 DEC 19 1963

FBI Keeps Silent on Contents As Dallas File Goes to Warren

By Laurence Stern
Staff Reporter

At President Johnson's order, an exhaustive FBI report on the assassination of President Kennedy was turned over yesterday to Chief Justice Earl Warren, chairman of a special panel investigating the Dallas tragedy.

The report will not be made public immediately, contrary to earlier indications.

Deputy Attorney General Nicholas deB. Katzenbach transmitted the report directly to the Presidential Commission late yesterday afternoon after intensive Justice Department screening of its contents.

The lengthy report essentially confirms already-published accounts of both the assassination of President Kennedy and the ensuing murder of suspected assassin, Lee Harvey Oswald.

Certain on Oswald

It reportedly names Oswald beyond doubt as the sniper who killed the President and wounded Texas Governor John B. Connally with three shots from his mail order rifle.

It also concludes that neither Oswald nor his accused murderer, Dallas night club proprietor Jack Ruby, acted as part of a conspiracy. Both murders were individual crimes, the FBI report is understood to say.

Originally the Justice Department hoped to make public, either in full or in summary form, the principal findings in the FBI report. The intention was to clear away the swarm of rumors and suspicions, most of them groundless, that had formed in the aftermath of the assassination and the subsequent murder of Oswald in a Dallas police station before a television audience of millions.

Panel Asked Delay

But a Justice Department spokesman said yesterday the Warren Commission asked that the report "not be made public until the Commission has reviewed it and taken whatever other action it may feel appropriate."

In addition, it was announced that the FBI inquiry is continuing and new facts will be reported to the Commission.

The FBI report is also understood to have gone into evidence that Oswald may have attempted to assassinate former Maj. Gen. Edwin A. Walker, vociferous apostle of the right wing, in his Dallas home last April 10.

A sniper fired a shot from a reported range of 50 yards that came within an inch of Walker's head. The retired general was sitting at his desk working on tax returns.

Fail to Link Rifle

Dallas police recovered the bullet but FBI ballistics tests last week failed to establish conclusively that it was fired from Oswald's carbine-type rifle.

However, investigators have reportedly found written material among Oswald's effects that implicated him in the attempt on Walker's life.

In another development, the Senate yesterday quickly passed and sent to the House a resolution giving the War-

ren Commission broad powers to carry out its fact-finding mission.

Offers Immunity

The measure empowers the Commission to subpoena witnesses and to obtain testimony from reluctant witnesses by granting them immunity from prosecution.

Two Senate members of the Commission, Sens. Richard B. Russell (D-Ga.) and John Sherman Cooper (R-Ky.), sponsored the Senate resolution. An identical proposal was offered in the House by Democratic Whip Hale Boggs (D-La.) and Rep. Gerald R. Ford (R-Mich.), House members of the Warren panel.

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Ruby—Kept in Secret Cell— 'Has a Jovial Manner'

DALLAS, Tex., Dec. 9 (AP).—Wearing white pocket-less coveralls with "C.J." stamped on them, and laceless slippers, Jack Ruby—the man who killed Lee Harvey Oswald—is kept alone in a three-man cell. "C.J." stands for County Jail.

He has been isolated as much for his security as for minimizing trouble in the 960-prisoner jail.

The location of his cell is kept secret.

Sheriff Bill Decker has consistently been plagued with questions about the treatment of Ruby.

"He gets what every other prisoner gets, and that's it," said Mr. Decker.

On Sunday, Ruby had a breakfast of oatmeal, apple-grape jelly, toast, coffee. Dinner was roast beef and gravy, mashed potatoes, buttered English peas and carrots, bread and iced tea. Sunday supper is regularly light: Cake with butter cream icing and coffee.

Ruby is permitted to shave himself and to write letters, which are censored. His incoming mail also is examined. He got a sack of it Saturday.

He has limited use of the public telephone and receives the newspapers.

Last night, Deputy Sheriff Buddy Walther passed Ruby's cell and said "You might say

he has a jovial manner; no, I guess you'd best describe it as not depressed."

He indicated caution is taken with everything pertaining to Ruby. Someone brought him candy bars but they were never given him.

"It doesn't matter who brought them," Mr. Walther says. "We can't take the chance that something might be wrong with them that would affect him."

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UPI-18

(RUBY)

DALLAS.--DIST. ATTY. HENRY WADE, WHO WILL PROSECUTE JACK RUBY FOR THE MURDER OF LEE HARVEY OSWALD, HAS ESCAPED CRITICISM BY HIS PEERS FOR VIOLATING ETHICS IN STATEMENTS TO NEWS MEDIA.

DEFENSE ATTORNEY TOM HOWARD, HOWEVER, APPARENTLY WAS STILL IN HOT WATER WITH THE TEXAS BAR ASSOCIATION.

THE TWO APPEARED BEFORE A GRIEVANCE COMMITTEE OF THE TEXAS BAR ASSOCIATION LAST NIGHT. WAYNE O. WOODRUFF, CHAIRMAN OF THE COMMITTEE, SAID THE CLOSED-DOOR MEETING WAS TO CHECK FOR VIOLATION OF THE BAR'S CODE OF ETHICS.

A TERSE STATEMENT RELEASED AFTER THE MEETING SAID "THE COMMITTEE HAS NO CHARGES AGAINST MR. WADE AND IN NO MANNER CRITICIZES ANY CONDUCT OR ACTION ON HIS PART."

"THE COMMITTEE HAS DISCUSSED WITH MR. TOM HOWARD AND OTHER ATTORNEYS THE MATTER OF PRESS, TV AND RADIO RELEASES AND INTERVIEWS CONCERNING PENDING LITIGATION IN THE LIGHT OF CANON 17 OF THE CODE OF ETHICS OF THE STATE BAR OF TEXAS..."

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WASHINGTON CAPITAL NEWS SERVICE

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About two weeks ago, when we were talking on the long-distance telephone to a contact in Dallas, Tex., he mentioned in passing that one of the girls who worked in Jack Ruby's strip joint was named "Jada." That didn't sound too interesting at the time and we let it pass. • But, last Tuesday, we opened The Washington Daily News and saw an ad for the Playgirl Lounge here on 13th-st nw. A dancer named "Jada" was featured. • We quickly called our friend in Dallas and asked him what he knew about the other "Jada" and where she was. "I don't know where she is now," he said. "But when Jack Ruby was arrested, she was working in Longview, Tex. After hearing the news, she drove right back to Dallas and made herself available to the press."

He continued: "She might have come to Washington. She worked for Ruby for a long time. Before that, she worked in New Orleans. I can't remember her real name." • We could hardly wait for the Playgirl Lounge to open. When it did, we dashed down to interview "Jada." This "Jada" said that she'd never been to Dallas. New Orleans, either. She didn't know Jack Ruby. "I've worked in Miami some," she said, helpfully. She finally convinced us that she was another "Jada." (Another tip-off was the fact that the one in Dallas had co-operated with the press.) • So the evening shouldn't be a total loss, we stayed to watch her dance. Very interesting.

ANTI-CLIMAX: The next night, we wandered back into the Playgirl Lounge (to see if she might have changed her mind about being the Dallas "Jada") and the manager said, "Hey, right after you left, two FBI men came in here and asked to speak to Jada. I told them to relax, that she wasn't the Dallas Jada. They said how did I know that and I said, 'Because, Don Maclean was just in here and he questioned her.' We asked him what the FBI said to her. The manager said, 'Well, one of them said, 'Oh, really. Well, if it's all right with you, we'll talk to her, anyway.' So, naturally, I let them, but she really isn't THE Jada. They left in about 30 minutes. Didn't even watch her dance.'"

SLIGHTS: A citizen called to say that he got his first Christmas card. It was from the superintendent in his apartment building. It had a small, return envelope inside. • The Windjammer Club at the Marriott Twin Bridges Hotel had a Christmas fashion show the other day, during which the zipper on a model's convertible cocktail gown became stuck. As the model struggled with it, the piano player thoughtfully plunged into "A Pretty Girl Is Like a Melody." That's all the men in the audience needed to start cheering and whistling. • Speaking of Christmas, did you know that trees are on sale already at Hechinger's? (Maybe it's time that we took last year's down.)

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The photo is of Ann Mansfield, daughter of Senate Majority Leader Mike Mansfield. Ronald Sarno took it at a recent party where she played the Trinidad Steel Drums.



ASIDE: By the way, do you remember the column about the California lady (a millionairess) who lost her photograph album here? (The album contained pictures of the ground-breaking ceremonies for the chapel she's building out there. Named after John Glenn, the chapel will resemble his space capsule.) Well, anyway, the album was found where she left it: at D. J. Pampillonia & Sons, the jewelers on Connecticut av. The album has been forwarded to her. Another case closed by Your Daily News in Action.

A pessimist, according to Matt Zuppas, at the Corsican restaurant, is a man who right now is touring all the stores' exchange desks in order to get acquainted for post-Christmas negotiations.

0:012 :-

Police, Lawyers Row on Ruby, ACLU Charges Oswald Bias

DALLAS, Dec. 6 (AP)—Controversy has developed around Dallas lawyers and policemen figuring in the case of Jack Ruby and the man he killed, Lee Harvey Oswald, accused presidential assassin.

Grievance committeemen of the State Bar of Texas discussed what a spokesman described as an ethical point with Tom Howard, principal attorney for Ruby, at a three-hour closed session last night.

In New York, meanwhile, the American Civil Liberties Union asserted Oswald could not have received a fair trial if he had lived. He had been charged with murder in the November 22 shootings of President Kennedy and Dallas Policeman J. D. Tippitt.

The bar committee, headed by Wayne O. Woodruff, said District Attorney Henry Wade was an invited witness and "the committee has no charges against Mr. Wade and in no manner criticizes any conduct or action on his part."

Interviews Discussed

Mr. Woodruff added in a formal statement that his group had discussed with Mr. Howard and other lawyers the matter of interviews about pending litigation, banned by the State bar's canon of ethics.

Bar officials refused further comment, as did Mr. Wade and Mr. Howard.

Later, as Mr. Howard sat among patrons at Ruby's downtown strip joint, he turned to an acquaintance and said: "After what happened to me tonight I've made up my mind what I'm going to do—I'm going to beat 'em on this case."

Mr. Ruby killed Oswald two days after Mr. Kennedy was assassinated. His trial on a murder charge is set for February 3.

The American Civil Liberties Union statement, issued in New York, said:

"It is our opinion that Lee Harvey Oswald, had he lived, would have been deprived of all opportunity to receive a fair trial by the conduct of police and prosecuting officials in Dallas, under pressure from the public and the news media."

Visited by Three Lawyers

Dallas Police Capt. Glenn King said, in turn, that Oswald was advised of his civil liberties and rights by at least three lawyers who visited him after he was charged with murder.

"There was no violation of his civil liberties," Mr. King said.

The ACLU said that if Oswald had been convicted of assassinating Mr. Kennedy, the courts likely would have thrown out the verdict because of prejudicial publicity.

"From the moment of his arrest until his murder two days later, Oswald was tried and convicted many times over in the newspapers, on the radio, and over television by the public statements of the Dallas law enforcement officials," said the statement issued yesterday by John de J. Pemberton, Jr., executive director of the ACLU.

"Where in Dallas, or any-

where else in the State or Nation for that matter, could there be found 12 citizens who had not formed a firm and fixed opinion that he was guilty?" the statement said.

Pressure on Police Extreme

"We grant that the pressure on the police was extraordinary and the demands of the press enormous. This indeed was the crime of the century and the public interest was intense. But precisely because of these circumstances, it was the responsibility of the Dallas officials to resist this pressure to assure that Oswald would be fairly tried on the monstrous charge against him."

The ACLU cited a decision by the United States Supreme Court which six months ago reversed the murder conviction of a Louisiana man because a 20-minute film of an interview between the defendant and the sheriff, in which the defendant confessed, had been shown three times on television.

The ACLU said police agreement to transfer Oswald from one jail to another in a manner to suit the convenience of the news media exposed him to the very danger that took his life.

His murder might have been averted, the ACLU said, if he had had a lawyer who had objected to the public transfer.

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UPI-155

(LAWYERS)

DALLAS--DAPPER JACK RUBY'S DEFENSE LAWYER AND THE PROSECUTING ATTORNEY GO BEFORE A TEXAS BAR ASSOCIATION GRIEVANCE COMMITTEE TONIGHT ON A CHARGE OF VIOLATING THE BAR'S CODE OF ETHICS IN STATEMENTS TO THE PRESS.

DIST. ATTY. HENRY WADE AND TOM HOARD, RUBY'S DEFENSE LAWYER, FACE A REPRIMAND OR EVEN POSSIBLE DISBARMENT IF THE BAR COMMITTEE FINDS THAT EITHER MAN VIOLATED THE CODE.

RUBY IS THE MAN WHO BRAZENLY KILLED LEE HARVEY OSWALD, ACCUSED ASSASSIN OF PRESIDENT KENNEDY, ON NOV. 24 BEFORE A NATIONWIDE TELEVISION AUDIENCE.

THE SESSION WILL BE HELD BEHIND CLOSED DOORS. QUESTIONS THAT HOWARD AND WADE WILL BE ASKED HAVE NOT BEEN DIVULGED.

THE HEAD OF THE COMMITTEE, WADE WOODRUFF, SAID THAT WADE AND HOWARD HAD BEEN ACCUSED OF VIOLATING THE CODE OF ETHICS WHICH STATES THAT LAWYERS SHOULD NOT SEEK PERSONAL PUBLICITY OR "TRY CASES IN PAPERS."

ALSO PROHIBITED ARE DEROGATORY STATEMENTS ABOUT OTHER ATTORNEYS AND STATEMENTS AIMED AT PREJUDICING POTENTIAL JURORS.

SOURCES SAID WADE MAY BE ASKED ABOUT STATEMENTS THAT "OUR WHOLE SYSTEM OF JUSTICE WILL BE AT STAKE" WHEN RUBY GOES TO TRIAL AND THAT RUBY "SHOT DOWN A MANACLED, DEFENSELESS MAN IN COLD BLOOD."

HOWARD WAS EXPECTED TO BE ASKED WHETHER HE SAID RUBY DESERVED A MEDAL FOR SHOOTING OSWALD, WHETHER HE CALLED A NEWS CONFERENCE AND IF HE ACCUSED WADE OF INJECTING RACIAL PREJUDICE IN THE CASE.

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WASHINGTON CAPITAL NEWS SERVICE

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DISORDERED IN THE COURTS

Ruby's Lawyer: a Brawler

By SETH KANTOR
Scripps-Howard Staff Writer

DALLAS, Dec. 5—Jack Ruby, the brawling, emotional nightclub operator, is being defended by a brawling, emotional attorney.

A grievance committee of the Texas Bar Association will meet behind closed doors tonight to determine if the lawyer, omHoward, and Dallas District Atty. Henry Wade should be warned officially or disciplined for having discussed evidence in Ruby's murder case with reporters.

"He (Mr. Wade) started it," Mr. Howard complained today.

Both men have held several press conferences regarding Ruby's slaying of Lee Harvey Oswald, President Kennedy's alleged assassin.

Mr. Howard has been in hot water before with the state bar. Two years ago he was disbarred for six months after drawing a probated sentence and a \$2500 fine for failure to file Federal income tax returns.

Specifically, he was charged with failure to pay taxes on income totaling \$30,029 for 1954 thru 1956. He pleaded guilty before U. S. District Judge J. Whitfield Davidson. He was defended by another attorney, William Fonville, who told Judge Davidson that Mr. Howard's "past drinking problems" were "possible reasons" for the tax evasion.

Earlier scrapes of the volatile attorney followed this chronology:

1949—He was jailed for 90 minutes for "shouting and bickering" in the District Criminal Courtroom of Judge Joe B. Brown—the jurist who will preside at Ruby's murder trial, scheduled for Feb. 3.

1950—He got into a fist fight with Will Wilson, then Dallas County District Attorney, in another courtroom. (No fine for this bout.)

1951—He was fined \$50 for fist fighting with an assistant district attorney — again in Judge Brown's courtroom.

1960—He was fined \$25 for contempt by Judge J. Frank Wilson of the District Criminal Court.

Mr. Howard handed over the cash and went right on with his case.

UNDERWORLD

A mild looking, soft-spoken, silver-haired man of 47, Mr. Howard wears a silk handkerchief in his jacket pocket. His flashy stickpin and cuff-

links are emblazoned with a large "H"

It was as a defense attorney that he met his wife, a twice divorced daughter of a Baptist minister, whom he represented. In 1956, she admitted shooting to death Louis (Chicken Louie) Farrantello, a Dallas tavern operator with a long criminal record, because he was the father of her unborn child, police said. She was acquitted.

After his conviction on the income tax charge, Mr. Howard operated a bail bond business for a time in Ft. Worth. When Dallas was seized two years ago by a backyard bomb shelter craze, Mr. Howard became president of the ~~Acme Bomb and Fall-~~out Shelter Co.

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UPI-418

(RUBY)
DALLAS.--A TEXAS BAR ASSOCIATION GRIEVANCE COMMITTEE PLANNED TO
QUIZ ATTORNEYS INVOLVED IN THE JACK RUBY MURDER CASE TONIGHT ABOUT
STATEMENTS MADE TO NEWS MEDIA.
RUBY IS CHARGED WITH KILLING LEE HARVEY OSWALD, SUSPECTED
ASSASSIN OF PRESIDENT KENNEDY.
DIST. ATTY. HENRY WADE AND TOM HOWARD, RUBY'S DEFENSE LAWYER,
WERE TO APPEAR BEFORE THE COMMITTEE IN A CLOSED-DOOR SESSION AT
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WASHINGTON CAPITAL NEWS SERVICE

Ruby's Lawyer: a Brawler

By SETH KANTOR
Scripps-Howard Staff Writer

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1951—He was fined \$50 for

'Am I Insane?' Ruby Asks

DALLAS, Dec. 5—Rabbi Hillel E. Silverman, spiritual advisor to Jack Ruby, in jail here for the killing of Lee Harvey Oswald, said today Ruby broke down during a psychiatric examination and asked him, "Tell me, am I insane?"

Dr. Silverman said he was convinced Ruby was "per-anged" when he shot Oswald, and the act was not premeditated.

"He just had to shoot the man who shot the President," the Rabbi said.

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Mr. Howard handed over the cash and went right on with his case.

UNDERWORLD

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JACK RUBY, AKA
LEE HARVEY OSWALD - VICTIM
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'Tell Me, Am I Insane?'—Ruby

By Ronnie Dugger
 Special to The Washington Post
 DALLAS, Dec. 4 — When Jack Ruby's spiritual adviser

Visiting Rabbi Says He Recalls Only Crowd, 'Leering' Oswald

visited him in his cell here, Ruby broke down crying "every three minutes," and at one point, when the question of his psychiatric examination came up, he looked at Rabbi Hillel E. Silverman and said, "Tell me, am I insane?"

Ruby is a member of the Shearith Israel, the large conservative Jewish congregation in Dallas. Dr. Silverman has visited with him twice since he was locked up for killing Lee Harvey Oswald.

"All he remembers is seeing a crowd of people, and Oswald; and Oswald was just leering, there was a smirk on his face, and he just lost his head—as an American, he just had to shoot the man that shot the President," Dr. Silverman said.

"I'm convinced it was not premeditated." He saw crowds, he saw people around, he saw this man, this assassin, the man had a smirk on his face, as if he was proud of what he did."

Ruby told him, Dr. Silverman said, "I kept thinking of Mrs. Kennedy coming back for the trial, and the poor children." Ruby never mentioned to Dr. Silverman, as an element in his motivation, indignation against Communists. Ruby's defense lawyer, Tom Howard, has been quoted alluding to such feelings.

Doubts Rightist Link

"It would be awfully convenient if he, Ruby, represented the right wing, but I'm afraid it just wasn't that way," Dr. Silverman said.

me, he was very intellectually. I don't he knew the difference in a Republican and a Democratic platform. All he he loved Kennedy, Eisenhower, he loved violent — it was a his America. It was credible that there be any connection

between Ruby and the Communists, Ruby and Oswald, or Ruby and the right wing."

A related conclusion is stated here also by the first trial assistant in the District Attorney's office, Bill Alexander, to whom a large role in Ruby's prosecution will be assigned, if Ruby is tried. "As of this point, I don't know of anything to connect the guy with Oswald," Alexander said.

Ruby was not deeply religious, but was sentimentally so, Dr. Silverman said. He did not attend weekly services, but went to the temple on two or three religious holidays a year. When, four or five years ago, his father died, he attended 20-minute memorial services at the synagogue every morning and evening for 11 straight months. That was when Rabbi Silverman came to know him.

Congregation Member

"He is a member of this congregation. I'm not proud of that fact," Dr. Silverman said. "It's a dastardly crime by a person who was obviously deranged."

A bachelor, Ruby had a "morbidity attraction" for dogs and once drove by Dr. Silverman's house with six little dachshunds in the back of his car. Apparently he wished he had some children. "He suffered a tremendous emotional instability," Dr. Silverman contended, illustrating this with this story:

On Jewish New Year's this year, one of the high holy days, about two months ago, Ruby called the Rabbi, "crying on the telephone," because he and his sister had had a spat, and asked the Rabbi to intervene for him with her. He did, and the next day they had made up.

Ruby was not exactly a status-seeker, but a seeker of "the plaudits of the crowd,"

Dr. Silverman said. Raised in abject poverty in a tough part of Chicago, and failing to finish high school, he lusted after notoriety, and "he wanted to be a martyr," Dr. Silverman said.

People have been writing him on his deed and even sending him money for his legal defense. "His mind is not working," Dr. Silverman said, citing, as an example, his request that the Rabbi see that instead of sending money to help in his defense, his admirers buy advertisements in their local newspapers saying "that they approve of what he's done and that he's done the American thing."

At Divine Service

Rabbi Silverman saw Ruby at divine services Friday night after the assassination. "You could see tears. He was very disturbed, you could see," he said. Ruby told him he had been very upset in conversations with his sister and by watching the television on the assassination; that he had closed his own two clubs and asked other operators why they did not close theirs.

Ruby was most concerned with what people, and what the Rabbi, particularly, thought of him. "I tried to comfort him, first of all," Dr. Silverman said.

He told Ruby that he had deprived the Government of an opportunity to bring Oswald to trial, and that this was not right. "It didn't occur to him. It wouldn't occur to a man like him," Dr. Silverman said.

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Speculation was abroad, too, Dr. Silverman told Ruby, that he had some tieup with Oswald or Communists. He quoted Ruby: "I don't know these people. I have no Communist background. I'll swear on this Bible that you gave me."

"He was in a terrible emotional state," Dr. Silverman said. "Every three minutes he would start to cry, and then he would say that he did the patriotic thing. He thought he was doing the American thing . . . This guy has a kind of a hero complex."

He had read a column linking him to some Chicago underground characters. "He said 'It's fantastic. I don't know these people,'" Dr. Silverman said.

No Reply from Chicago

Dallas police wrote Chicago police on Nov. 25, sending them Ruby's fingerprints and picture and asking for his record there, but have not received a reply so far.

Ruby's record with the Dallas police has been exaggerated. According to police information, he was accused in 1949 of disturbing the peace; in 1953 of carrying a concealed weapon; and in 1954, of a technical liquor offense, per-

mitting consumption of beer after hours.

No disposition is shown of the 1949 case; Texas law permits a businessman to carry a gun if he is going home from his place of business with money on him; the liquor case should not have been filed in the first place, because no one saw anyone consuming the unfinished bottle of beer in question, according to information here.

This year he was arrested in connection with a case of simple assault. Nothing came of the matter.

"Jack blew in here in 1947," Alexander said. He ran a couple of lounges "wide open" for a while, but then decided to cooperate with the police while maintaining a tough-guy atmosphere to attract customers, Alexander continued.

"You can't exactly say he was a stool pigeon, but if a character drifted into his place, he would call the police," Alexander said. Nightly one or two police cars would stop by his place. Alexander thought Ruby had probably "avoided some problems" because of his cooperativeness.

Offered Free Beer

Ruby would make a grand entrance at the boxing matches after the preliminaries, when the lights were up, and would invite police and newspapermen to his place for free beer, Alexander said. "The police wouldn't go. The press would," Alexander contended.

Alexander confirmed that Ruby was in the hallway Friday when Oswald was brought through it. "I saw him," Alexander said. Thus, had he been of a mind, Ruby could have tried to shoot Oswald Friday instead of Sunday, when he did shoot him.

How did he get in? "He's got a pocketful of credentials," Alexander speculated. As to Ruby's motive in shooting Oswald, Alexander, one of his prosecutors, said, "I think he thought he was going to be a national hero." The contention that Ruby was temporarily insane is "pure baloney" in the judgment of the Dallas prosecutor, who had just spent \$25 for two books on psychology.

A club operator who has known Ruby for years adopts an attitude as skeptical as Alexander's. The club man asked why, if Ruby so loved Mr. Kennedy, was he placing a business ad at the Dallas Morning News at the time of the President's motorcade in Dallas.

The old associate of Ruby's jeered an interpretation that Ruby could have been actuated by distress about the assassination. "Jack Ruby is for Jack Ruby," he said.

Several Dallas people who met Ruby casually said he had made a fairly good impression on them. One said he was not ostentatious; another, that he was almost shy. Yet a third casual acquaintance saw him as "a typical Chicago fellow down here to run a night club."

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NIGHTLIFE IN DALLAS

Ruby Played It Cozy With Police

By KENT DEMARET
 Scripps-Howard Staff Writer

HUNTSVILLE, Tex., Dec. 4—A former Dallas night club operator who says he knows Jack Ruby "like a brother" has described the killer of Lee Harvey Oswald as a bold publicity-seeker who often wine and dined Dallas police officers for his own protection—and ego.

"Ruby always worked the cops," Joe Bonds told The Houston Press, a Scripps-Howard newspaper from the state prison, where he is serving out a sentence. FBI agents have also questioned Bonds.

Dallas Police Chief Jesse Curry is investigating his own men to determine their relations with Ruby.

FIX UP PEOPLE

Bonds, 53, a former business partner of Ruby's, talked

freely about their association. "Ruby used to 'fix people up' at the club," said the portly, balding prisoner.

"We had a balcony at a club we owned together—the Club Vegas. I remember one time I came in and the curtains were drawn around the balcony and I could hear a lot of people laughing there.

"Ruby told me there were four detectives up there and some girls. He acted like he had really done something big. He was always trying to make friends. But he always wanted something from them sooner or later.

"He gave lots of whisky to the cops."

But, said Bonds, "Ruby was also a tough guy."

FIGHTS

"He had maybe two fights a week at the club," Bonds said. "Where some other club operators might quiet down a loud customer by talking to him, Ruby would get real tough. He would walk

up, grab him and hustle him out.

"Most of the time the customer would try to fight. When one did, Ruby would beat him up. One customer bit the end of his finger off in a fight once.

"Ruby even had his own little jail. He had a back room at the club, and after he'd beat a guy up, he'd throw him in the back room and lock the door. Later on he'd call the cops and they'd take the customer to jail or something."

Bonds said he had helped Ruby get back in the night club business in 1948. He said Ruby had quit the taverns to "peddle punchboards out of Chicago," but "went busted" when Texas outlawed punchboards. After he helped Ruby get his old club back, they decided to go into partnership in the Club Vegas, Bonds said.

'GIT

"We had to put up a little over \$5000," Bonds said. "I put it up for both of us. Then, after a couple of months, Ruby came up to me and

said: 'I don't like you in the club. I want you out.'

"That was all there was to it. He didn't exactly threaten me, but I knew enough to get out. He paid me back the money, plus a \$500 profit, and I went back to another club, the Sky Club, that I had all along. Later Ruby got the Carousel, and every once in a while we'd still get together."

Bonds said he doubted Ruby meant to kill Oswald. He said he thought Ruby intended only to wound Oswald and get himself national publicity. Commented Bonds:

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"Ruby always liked publicity. He likes for everyone to know him. He's a selfish man, and he just wanted to take advantage of a situation. If he had ever been interested in politics or wound up in some way with communists, I would have known it. He wasn't."

(Mount Clipping in Space Below)

Ruby Trial Delay Likely

By ALAN LEVIN

The murder trial of Jack Ruby, tentatively set for next Monday, is not likely to get under way until well into next year.

Dallas DA Henry Wade, who has vowed to send Ruby to the electric chair, said today he won't have his case ready for at least a week.

Tom Howard, lawyer for the nightclub owner who killed accused Presidential assassin Lee Harvey Oswald, said the sanity hearing he has demanded—which must precede a trial—will take him two months of preparation.

The court is expected to grant a trial postponement on formal request from either side.

In neighboring Fort Worth, police said some 10,000 spectators have walked or driven past Oswald's grave. On Sunday his Russian-born wife, Marina, placed a wreath on the 24-year-old ex-Marine's grave. She came with her two small daughters, accompanied by Secret Service

agents assigned to guard her.

Yesterday, Oswald's mother, a 6-year-old practical nurse, said she planned to write a book about her life and her family.

Speaking from her Fort Worth apartment, with a Secret Service agent standing at her side, she said, "I have already received several offers and I am expecting several more. After they are all in my attorney will choose the best and we'll get to work."

Mrs. Oswald, who was dressed in black, said that she was fired from her job as a practical nurse shortly after her son was ac-

cused of killing President Kennedy.

She said three nurses at a local nursing home—she would not disclose the name—threatened to quit unless she was fired.

"So there was nothing they could do but let me go," she added.

She said she had received "many letters" from "mothers like myself" with contributions totaling \$100.

"Many say that they understand what it is like, what I am going through," Mrs. Oswald said.

Mr. Tolson
Mr. DeLoach
Mr. Mohr
Mr. Bishop
Mr. Casper
Mr. Callahan
Mr. Conrad
Mr. Felt
Mr. Gale
Mr. Rosen
Mr. Sullivan
Mr. Tavel
Mr. Trotter
Tele. Room
Miss Holmes
Miss Gandy

(Indicate page, name of newspaper, city and state.)

3 NEW YORK POST

Date: 12/3/63

Edition: LATE CITY

Author: ALAN LEVIN

Editor: DOROTHY SCHIFF

Title: JACK LEON RUBY WE

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UNDER INVESTIGATION

Character: CIVIL RIGHTS

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Classification: BU 44-24016

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Lawyer Predicts Report Will Bolster Ruby Case

DALLAS, Dec. 2 (AP).—A defense lawyer predicts the findings of Federal investigators will bolster the case of Jack Ruby, who shot down the accused assassin of President John F. Kennedy.

There are increasing signs, meanwhile, of probable delay in the murder trial of Ruby, tentatively set to start next Monday.

Ruby, 32, owner of a downtown strip-tease joint, remained under close guard today in the county jail. He has been held without bond since the televised shooting November 24 of Lee Harvey Oswald, charged with firing the shots which killed Mr. Kennedy and a Dallas policeman two days earlier.

"When the Government's report of the Oswald case comes out," Lawyer Tom Howard said last night, "I believe then that public opinion in favor of Ruby will be stronger than ever because it will prove conclusively there was absolutely no con-

nection between Ruby and Oswald."

District Attorney Henry Wade, who has said he will demand the death penalty for Ruby, declined to go into this aspect of the case.

"Whether the evidence did or didn't show a connection between Ruby and Oswald is something dealing with an important part of the trial, so I wouldn't have any comment," Mr. Wade said.

Agents of the Federal Bureau of Investigation and city police continued to dig for evidence. Official silence cloaked any fresh discoveries. It was indicated they would need considerable time to sift reams of notes left by Oswald, an avowed Marxist.

Mr. Howard, a veteran of criminal law trials, all but said he would seek postponement of the Ruby trial on a State charge of murder, set for December 9 in a Dallas district court. Earlier the lawyer had

said he expected the defense to be ready by that date.

"We need considerable time to develop our case," Mr. Howard said last night. "I don't see how we could be ready before February."

Lawyers regard it as almost an unwritten rule in Texas courts that an initial request for delay of trial is granted.

Mr. Howard also said he felt the chances for obtaining an impartial jury were waning but he had not reached a firm decision on whether to ask a change of venue.

Every mail delivery brought more donations for the families of Dallas Policeman J. D. Tippit, whom Oswald was accused of killing as the officer tried to stop him for questioning, and for the Russian-born wife and two small daughters of Oswald as well.

The Tippit fund was estimated at \$65,000 before counting was suspended for the week end in a special office set up at City Hall.

Mr. Howard reported receipt of about 300 letters and telegrams, including one from a Los Angeles man pledging \$500 for the defense of Ruby. He said several applauded the slaying of Oswald and only four were unfavorable in tone.

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UPI-47

(OSWALD)

FORT WORTH--THE MOTHER OF ACCUSED PRESIDENTIAL ASSASSIN LEE HARVEY OSWALD CAME OUT OF SECLUSION LAST NIGHT AND BLAMED POLICE AND FEDERAL AUTHORITIES FOR THE DEATH OF BOTH HER SON AND PRESIDENT KENNEDY.

MRS. MARGUERITE OSWALD, 56, TOLD THE FORT WORTH STAR TELEGRAM THE FEDERAL BUREAU OF INVESTIGATION SHOULD HAVE BEEN WATCHING HER SON SINCE THEY KNEW HE ONCE DEFECTED TO RUSSIA.

THE PAPER SAID MRS. OSWALD'S TEMPER FLARED AT TIMES DURING THE INTERVIEW. AT OTHER TIMES THERE WERE TEARS.

SHE SAID SHE WOULD ACCEPT THE FINDINGS OF A STATE COURT OF INQUIRY PROPOSED BY TEXAS ATTY. GEN. WAGGONER CAR. "BUT I WOULD LIKE AN OPPORTUNITY TO VERIFY THAT THEY ARE PROVEN FACTS," SHE SAID.

"I WANT ANOTHER QUESTION ANSWERED," THE PAPER QUOTED HER AS SAYING. "WHY WOULD (JACK RUBY) BE ALLOWED WITHIN A FEW FEET OF A PRISONER--OF ANY PRISONER--WHEN I COULD NOT SEE MY OWN SON?"

SHE TOLD THE NEWSPAPER AN FBI AGENT CAME TO HER HOME NOV. 23, THE DAY AFTER PRESIDENT KENNEDY WAS ASSASSINATED, AND SHOWED HER A PICTURE OF A MAN SHE LATER IDENTIFIED AS RUBY.

THE FBI HAS DENIED THEY SHOWED HER A PICTURE OF RUBY AND SAID THE PHOTOGRAPH WAS OF SOMEONE ELSE.

MRS. OSWALD ALSO DENIED A STORY WHICH APPEARED SAYING SHE HAD ASKED HER SON TO BE TRIED POSTHUMOUSLY.

SHE WAS STILL BEING GUARDED BY POLICE AND FEDERAL AUTHORITIES.

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WASHINGTON CAPITAL NEWS SERVICE

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SPECIAL REPORT

The Story of Jack Leon Ruby

By JERRY O'LEARY, Jr.
Star Staff Writer

DALLAS, Tex., Nov. 30.—It would be hard to imagine a stranger instrument of vengeance than Jack Leon Ruby, the man who pulled a hammerless .38-caliber Smith & Wesson revolver from his pocket last Sunday morning and committed murder before the eyes of millions of Americans.

In that split second at 11:20 a.m. (CST) on November 24, 1963, the 52-year-old Dallas strip-joint operator catapulted himself from obscurity into the spotlight.

Before he gunned down Lee Harvey Oswald, the accused assassin of President John F. Kennedy, last Sunday, Ruby might well have been considered the least likely man in all of Texas to commit such an act.

This was no hard-jawed enforcer of the eye-for-an-eye code. Around the Dallas bars and grille clubs they called him the "Chicago cowboy" and regarded him as a back-slapping, garrulous pest with a yen for "class" and a great desire to hang around Dallas policemen.

To their lasting shame, they let him.

Today, Jack Ruby languishes alone in a cell of the county jail overlooking the spot, only a few feet away, where two bullets ended the President's life.

Waiting for the justice he denied

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- The Evening Star _____
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- New York Journal-American _____
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to Oswald. Ruby spends his time worrying about whether his friends are mad at him and occasionally calling his night clubs to check up on business.

He also has begun writing his memoirs. Sheriff Bill Decker said, "I haven't read what he has written. I assume that he believes he can sell the memoirs because of the notoriety."

His conversation with jailers generally revolves around one question: Does the public approve his decision to shoot Oswald?

Ruby was born Jack Rubenstein, one of eight children of immigrant Polish parents, on March 25, 1911, in a tough west side section of Chicago. His father, a hard-working carpenter and an orthodox Jew, died five years ago at the age of 38 and his mother died in an institution in Illinois.

What little is known of his childhood comes from his short, gray-haired sister, Mrs. Eva Grant, 54, of 3929 Rawlins street, in Dallas. Mrs. Grant, a divorcee, recently underwent major surgery and is now in a highly nervous state.

She earns her living as manager of one of Ruby's two Dallas night clubs, the Vegas, at 3508 Oaklawn street. But she has been seen little in public since last Sunday night when she went tearfully to police headquarters, wearing a white veil, to see her brother in the cell-block just vacated by Oswald.

Her description is that of a large family in poor circumstances which spawned in Jack a fierce desire for social acceptance.

Ruby's education was limited and he learned more of how to survive among the Irish and Polish rough-necks of his milieu than he did of books and more conventional means of advancement.

Early in life, he learned to use his fists and he grew up to be a man who was proud of his physique even after his paunch had thickened and his hair grew thin. They called him "Sparky" around the ghetto of Roosevelt avenue and Peoria streets

because of his prowess at street fighting.

Eva Grant said it was her brother's great pride as a teenager to protect her, his older sister, from the neighborhood thugs and ogles. Of the eight Rubinstein children, five managed to escape the environment of their youth. One brother, Earl, changed his name to Rubin and moved to Detroit.

Jack was not one of the five to whom schooling appealed, Eva said.

Instead, when he was 16, he became known as "champion gate crasher" at Chicago Stadium, Soldier's Field and the Cub's ballpark. It was his boast that in 1936, he went to Soldier's Field with 11 other kids on a bet that he could get all 12 into the game without tickets.

He pulled the stunt off, and earned \$20 hawking hot dogs and pop while watching the game. He also often has boasted that he gate-crashed the Dempsey-Tunney fight.

He has no known police record in Chicago, either as Rubenstein or Ruby, but police there recall him as a gambler, likeliest scalper, labor organizer and a man on the fringe of mob activities. A police captain remembers him as a loiterer in the notorious Maxwell district, but said he also liked to hang around policemen.

He frequented cheap night-clubs and gymnasiums, where he watched fighters working out.

In 1937, Ruby teamed up with a close friend and neighbor, a lawyer named Leon R. Cooke. The two organized a union of scrap iron dealers and junk handlers.

Partner Murdered

This association came to an abrupt end when Cooke was shot to death in the union office. John Martin, the union president and one-time associate of bootlegger Terry Druggan, was accused, but claimed self-defense and was acquitted. Much of the information police received about the shooting came from the young union secretary, Ruby. Ruby was held in jail overnight but was not charged.

Early in 1940, the union dropped Ruby on the grounds that he was "too temperamental and not good for the union."

Little is known about his life from then until May 21, 1943, when Ruby was inducted into the Army and sent to Camp Grant, Ill. The records indicate only that he served in the Army Air Corps, rose to the rank of private first class and received an honorable discharge at Fort Sheridan, Ill. on February 21, 1946.

Ruby returned to Chicago and for a time frequented gambling spots with a man named Nathan Gumbin until Gumbin was killed in a gangland assassination.

A friend said it was around this time that Ruby changed his name from Rubenstein. District Court records show the new name was authorized on December 30, 1947, by Judge William Cramer. Ruby said the name was shorter and everyone called him that anyway.

Cowboy Attire

As near as can be determined, Ruby took up residence in Dallas about 14 years ago. From the first, he was much taken by life in the West. He wore immaculate cowboy clothes, almost as incongruous in Dallas as they would be in Washington, but later he returned to his favorite wide-brimmed hats and high collars.

He was a flashy dresser, with a sapphire ring on one hand, and a fondness for loud vests.

Tony Zoppi, a Dallas night club writer, says Ruby acted like a frustrated Ziegfeld when he first came here, hanging around the old Plantation Club, and often dashing on stage to take over the mike.

With borrowed investment capital, he soon gravitated into the night-club business with the emphasis on fleshy floor-shows catering to the Dallas convention trade. He acquired the Vegas, in an outlying section, and the Carousel, at 1312½ Commerce street and ran them with an iron hand, often acting as his own bouncer.

To hear Dallas policemen tell it, he became something of a pest to them, but some perhaps brought it on themselves.

by passing overlong when they had to check his premises or clientele. The records show that Ruby was called up to explain certain violations of the dance hall ordinance and the ban on Sunday drinking.

Carried Pistol

He was twice apprehended for carrying a concealed weapon, although Ruby never made much of a secret of the fact he often carried a pistol to protect his bankroll. He said it was a hammerless model.

Ruby, who never married so far as is known, prospered in the night-club business. He acquired a four-room apartment in the Marcella, at 223 Ewing street, and furnished it with rather garish Italian provincial pieces.

"I've suffered enough and skimped all my life," he told an associate recently. "I want to live a little."

When their father died in 1958, according to his sister Eva, Ruby was terribly broken up and observed a period of mourning lasting a year, in accordance with the ancient Jewish ritual called the Kaddish.

"He was the only one of the sons who did it," said Eva.

In recent months, the 8-foot-9, 210-pound Ruby took to swimming and working out on the punching bag and weights at the YMCA. He kept a pair of bar bells beside his bed.

Fond of Dogs

He is fond of dogs and kept two of those he owned in a backroom of the Carousel.

Gruff-speaking, gregarious, yearning for acceptance, quick to fight or take offense, Ruby seemed to have no active interest in politics except to be noisily in the corner of whoever was President.

A brunette strip-tease entertainer known as "Cindy Embers" said he banned Kennedy jokes in his night spot and tried to attack her husband one night for a relatively mild sally.

Another stripper, Janet Conforto, known on the runway as "Jada," swore out a peace bond on November 1 before Justice of the Peace W. L. Richburg against Ruby. The proprietor of the Carousel, she said, had threatened to burn up \$10,000 worth of her costumes in a salary dispute.

He has a quick temper, she says, but also could be kind and generous.

George Senator, 50, a friend for eight years, who moved into Ruby's apartment a month ago, probably knows more than anyone else about Ruby's movements in the hours before and after the death of President Kennedy.

Visits Newspaper

Like everyone else in Dallas, Ruby knew that the President was coming to town around noon on Friday. An hour before that time, Ruby turned up at the offices of the Dallas News, in which he advertised, and had breakfast in the newspaper cafeteria. The building is four blocks from the corner of Elm and Houston.

At 12:10 p.m., Ruby entered the News display advertising department in search of John Newnam, who handled his account. Adman Donald Campbell remembered the time because noon was the deadline and he automatically looked at the clock.

Ruby, News employes believe, was helping to lay out his ad while Campbell went out to watch the presidential motorcade between 12:20 p.m. and 12:45 p.m. Ruby apparently did not watch. Mr. Newnam turned up at 12:45 p.m. and found Ruby still at the desk.

At 1 p.m., another adman burst in with the tragic news that the President had been shot. From all accounts, Ruby reacted, like everyone else, with shock and disbelief. With others, he rushed to the nearest TV set and a little later canceled his ad and decided to close his nightclubs for three days.

Mrs. Grant says her brother called her from the News office and cried into the phone. He did the same in a long-distance call to the brother in Detroit—Earl Rubin.

Kept Talking

"That night he wouldn't eat anything," his sister said. "He kept talking about Jackie. He said the President could have had anything but had to end up like this."

George Senator said, "He kept telling me over and over again about those poor children."

Ruby went to his Synagogue Sherith Israel, at 9401 Douglas street and prayed for the President's family, said Mr. Senator.

When the word spread that Lee Harvey Oswald had been captured after killing Dallas Police Pvt. J. D. Tippit, Ruby made a bee-line for police headquarters.

This reporter saw Ruby there that night in the hall outside the third floor homicide squad room where Capt. Will Filtz was trying to get some answers out of Oswald. There was indescribable confusion and no one among the hundreds of reporters, television men and police paid much attention to Ruby.

I saw him hand one of his cards reading, "Jack Ruby—Carousel," to some out-of-town newsmen. He also handed cards to District Attorney Henry Wade, the county prosecutor, who came to draw up the murder charges against Oswald, and to Justice of the Peace David Johnston, who was there to conduct the preliminary hearing.

Paid Little Heed

He introduced himself to one reporter as a translator for the Jewish press. To others he acted as if he were Dallas' official greeter. It seems clear that police paid him little heed because his face was familiar. One officer says he asked Ruby what he was doing there and Ruby replied, "Oh, I brought the sandwiches."

On four separate occasions that Friday night, Oswald was brought out of the homicide squad room and passed within inches of the shouting, crowding press—and, presumably, Ruby.

On Saturday, the questioning of Oswald continued and the press corps multiplied. Ruby was back again with more cards and some sandwiches for the men at the station. He busied himself in other ways until Oswald was brought forth for an 11 p.m. confrontation with the press in the basement lineup room and then taken back to his cell.

Then when Prosecutor Wade took the microphone and began detailing the evidence against the prisoner and said that Oswald belonged to a committee dedicated to freeing Cuba, Ruby interrupted. He said Mr. Wade was wrong, that Oswald "belongs to that Communist outfit (the Fair Play for Cuba Committee)."

Eva Grant recalls that her brother telephoned her six times during the day, the last time at 12:40 a.m. before leaving police headquarters.

When Oswald was put in the top-floor cell-block for the night, Police Chief Jesse E. Curry was asked by newsmen to give them advance notice of when the prisoner would be moved to the county jail next day. The announcement was made that the transfer would be accomplished at 10 a.m. Sunday.

Told of Threat

At 7 a.m. Sunday, Chief Curry got word from the FBI that a phone call had been received saying Oswald would be killed that day, that the prisoner would not reach the county jail alive. Chief Curry ordered special police guard details and directed that an armored car be used for Oswald's 10-block ride. It was decided to check all press credentials and allow no one else near the scene.

Ruby got up Sunday morning and took a swim at the apartment pool. A neighbor said, "I saw him coming up the stairs with a handful of laundry, I said 'hello' but he didn't answer me."

Mr. Senator said he had some scrambled eggs for breakfast and then put his dachshund, Sheba, into his car to go down to the Carousel.

Ruby's attorney, Tom Howard, said Ruby had set out to send a \$25 money order to a Carousel girl who needed the money to pay for rent in Fort Worth. He carried his pistol in his pocket because he had several thousand dollars in the car, according to Mr. Howard.

While Ruby was on this errand, Chief Curry called the press into his office and disclosed news of the threats against Oswald's life. He would have moved Oswald during the night, he said, "but I didn't want to double-cross you people."

He said Oswald would be taken by elevator to the basement and there be put into the armored car. With this notice, photographers, TV cameramen, radiomen and reporters raced for the basement and set up a double line flanking the path Oswald and his guards would take.

Gets on Elevator

At about 11:16 a.m., Oswald emerged from his cell manacled to two big detectives. Capt. Fritz led the way and the entourage got on the elevator to descend.

At that moment, according to attorney Howard, Ruby had been to Western Union and had driven out of his way to pass where President Kennedy was killed. Later, he had planned to place flowers at the scene, as hundreds have done.

As Oswald was getting on the elevator, Jack Ruby arrived at the Main street entrance to police headquarters where a ramp goes into the garage. Ruby told Mr. Howard the policeman on guard there was distracted by a squad car. "I walked past them and I guess they didn't notice," he said.

This reporter was standing in the garage with the others watching as Capt. Ertz emerged and several voices shouted, "Here he comes." Ruby has told his lawyer he walked up to the line of newsmen from behind at that exact moment. It was 11:20 a.m.

From my vantage point five feet to Ruby's left, I saw a squat figure in a dark suit and a brown hat dart across the intervening space, and heard rather than saw the shot.

I saw the stricken look of pain and disbelief on Oswald's face as he jack-knifed forward with open mouth and goggling eyes.

Bedlam

Ruby and Oswald went down in a heap together, swarmed under by a shouting cluster of police. It was a bedlam of confusion, rage and fear and many a gun was drawn in reflex by

the white-faced police cordon while Oswald was rushed into an ambulance and Ruby to a cell.

At Parkland Hospital, physicians quickly saw that Oswald was dying. Ruby had jammed the muzzle of his pistol so tightly into his abdomen that there was a two-inch powder burn in his sweater. The bullet had pierced his liver and several large arteries. Oswald never regained consciousness. At 1:07 p.m., he died in the room next to the one where the President breathed his last.

After Oswald had been taken to the hospital, this reporter by happenstance was the first one to run upstairs to Chief Curry's office. He did not know until then what had happened below.

The chief, grayfaced and in a trembling voice, called newsmen in at 1:27 p.m. and announced that Oswald was dead. He said Ruby would be charged with murder.

Reactions

Assistant District Attorney Bill Alexander, said Ruby

"thought he'd be the idol of America in two seconds but he misjudged things."

Mr. Howard was called to police headquarters, accepted the case and pronounced Ruby a "fine man."

Mr. Senator said his friend had been put in a state of shock by the President's assassination.

Mrs. Grant said her brother was a "good American" who had gotten upset by the President's death.

Herbert Kelly, chef at the Carousel, said, "Patriotic he wasn't, a police buff he was. If he did kill Oswald for revenge, I believe it was more over Pvt. Tippit than over President Kennedy."

Given Hearing

In his first statement to police, Ruby did it because he "couldn't stand the thought of Jackie (Mrs. Kennedy) undergoing the torment of attending Oswald's trial."

After Ruby was given a preliminary hearing that afternoon on a charge of murder.

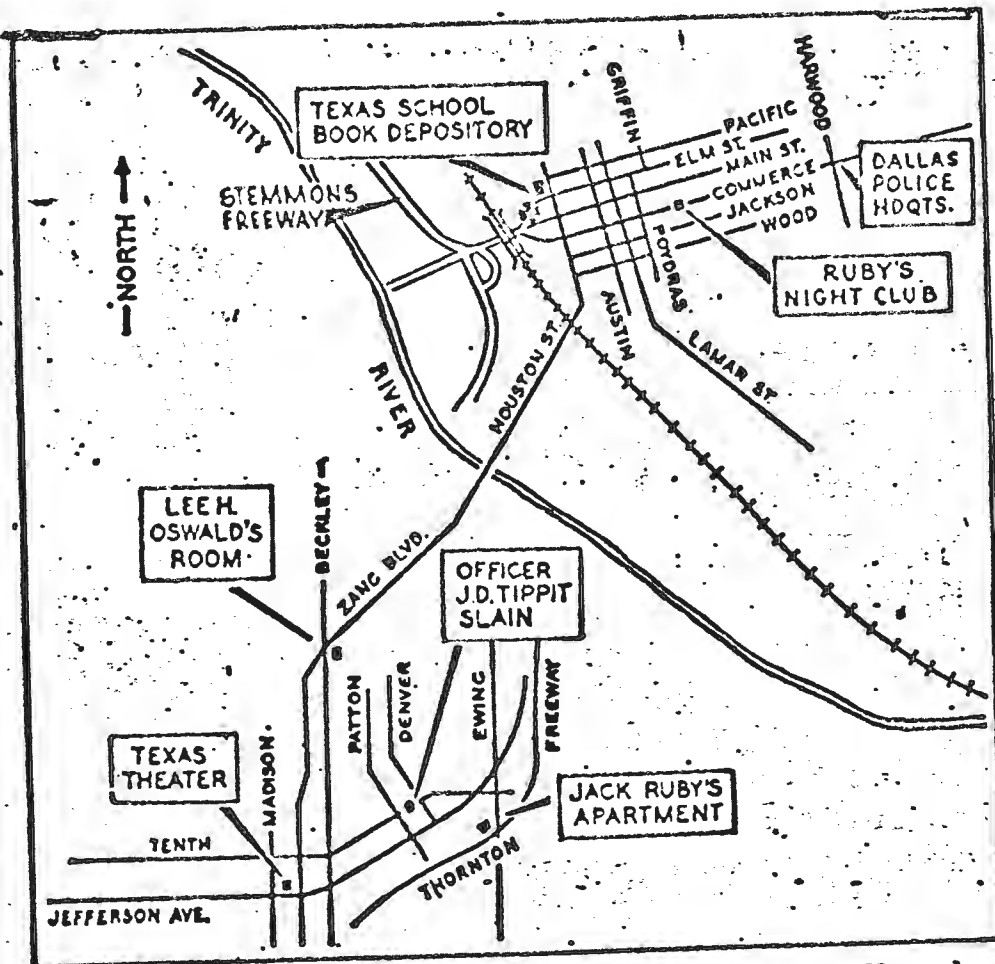
Attorney Howard quoted him as saying:

"He (Oswald) was smirking and so cocky and acted so proud of what he had done I couldn't get it out of my mind. I could not forget the Communists had sent him to kill our President. I could not forget how Jackie had suffered and that Caroline and John wouldn't have a daddy any more."

Mr. Howard brought a psychiatrist, Dr. John T. Holbrook of Beverly Hills Sanitarium, to examine Ruby. Next day, without prior announcement, Ruby was spirited from headquarters to the jail. Sheriff Decker got him into a cell alone with dispatch and there he remains today.

Prosecutor Wade, 47, who was wounded Gov. John Connally's roommate at the University of Texas, said he would ask for the electric chair for Ruby.

Mr. Howard is considering two moves: a request for a sanity hearing and a request for a change of venue. He said he is not sure Ruby could get a fair trial in this part of Texas.



This is the section of downtown Dallas, Tex., where President Kennedy was assassinated on November 22, setting loose a chain of events that led to the deaths of a Dallas policeman and the President's accused murderer. The focal points are designated above with the black cross marking the spot where President Kennedy was killed. The map covers an area of only four miles.—Star Staff Map.



JACK LEON RUBY

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INSIDE LABOR

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Jack Ruby's Life: A Glimpse
Into the Underworld's Snake Pit

By Victor Riesel

Washington, D.C.: -- For days I have been wandering through the life and of Jack Ruby, indicted for the murder of the murderer of John Kennedy. I have traced Ruby, his friends and friends of his friends.

I have been in a snake pit through which have slithered such characters as "Needlenose" Labriola, Paul Jones, goons from Joe Valachi's Cosa Nostra and killers and con-men out of the Chicago Capone combine.

I have found that Ruby's night spot at one time was a haunt of Chicago hoods who came to Dallas to "case it" for its possible "take." They decided they could take at least \$18 million a year out of the city from labor rackets and other operations.

From Dallas they planned to expand the business to cover Oklahoma, Arkansas and Louisiana.

Their gall was matched only by their arrogance and disdain. One of them suggested that to prove their toughness they murder four local gamblers, put their bodies in a car and leave it outside police headquarters.

Jones, who was friendly with Ruby now in prison, had broad horizons. One Dallas police lieutenant later told the McClellan Committee that Jones had told him that the group planned to unionize every truck driver in the U.S. Jones said: "When we do that, we can bring industry to its knees, and even the government if we have to...." Jones indicated that his combine thought this was the most important area of their activities.

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XEROX

The hoods terrorized restaurant operators. They forced some owners to buy meat from them at prices higher than the market. How? By cutting off linen supplies -- and workers.

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But they reached too far, too hard. Jones tried to bribe a sheriff. He was convicted. "Chicago" became disgusted. The others were recalled. "Needlenose" wound up with a tight wire around his throat in the back of a car. This interfered with his breathing. And so went "Needlenose."

But Chicago never held any terror for Jack Ruby. He knew lots of the boys. Back in 1937, Ruby was so cocky that he stepped in where the wise ones are loath to tread.

Here starts a bizarre play cast in the image of ancient Greek tragedy.

Ruby knew a lawyer called Leon Cook. The former got Cook to lunch and suggested they organize a union in an unorganized area. It was indicated there would be no difficulty getting a federal charter from the old AFL. (A federal charter is one issued directly by the central office in Washington, not by a national union.) The CIO called these "L.I.U.'s" -- Local Industrial Unions.

They got their charter -- local 20467, Waste Material Handlers Union. Ruby was secretary. He and Cook worked hard. Someone decided Cook was working too hard and eased his pain with some bullets on Dec. 8, 1939. Ruby stayed on for a while. Then the AFL regional office removed him. Out of nowhere came the new secretary-treasurer -- Paul "Red" Dorfman, buddy of Jimmie Hoffa.

"Red" Dorfman, an ex-pug had no difficulties for a long while -- perhaps some 15 years.

Then came the McClellan committee. Its chief counsel, Robert Kennedy, decided to probe this friend and intimate of Jim Hoffa.

To this investigation Kennedy assigned one James McShane. Today he is chief of the federal marshals.

--MORE--

On Jan. 29, 1959, Kennedy put McShane on the Senate committee witness stand.

Kennedy asked: "...Do you have some information that would summarize your investigation, as well as the investigations that have been conducted by other government departments?"

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McShane replied: "According to our investigation, Mr. Kennedy, Mr. Paul Dorfman is a major figure in the Chicago underworld. He is an associate of most of the leading gangsters in the Chicago area. He is the contact man between dishonest union leaders and members of the Chicago underworld...."

And then McShane continued: "...Of Mr. Dorfman's criminal and other associates, there is one Anthony "Tony" Accardo, known as the head of the Chicago mob since the death of Al Capone. Another is Mr. Abraham Teitelbaum, former attorney for the Capone mob. Another is Abner "Longy" Zwillman, one of the top figures in the American underworld...

"Now there is Mr. John Dioguardia, alias Johnny Dio, a notorious New York gangster in the garment district...."

At the end of 1957, Dorfman was ousted from the Waste Handlers union by labor's national office here. But soon he was organizing for a Teamster' local in Chicago.

When last heard from he was in the Palm Springs sunshine.

He said he thought Jack Ruby was a "real nice guy."

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Ruby-Oswald Probe May Be Switched

Texas Fears More Violence

By Seymour M. Hersh and Newspapers

DALLAS, Nov. 29—

Texas Attorney General Waggoner Carr is concerned that a court of inquiry into the assassination of President Kennedy could lead to more unrest and violence, if his special court convenes here.

Mr. Carr has confided to intimates that he may conduct the inquiry in "some other Texas city."

Some Dallas business leaders are desperate for a chance to let the city change the awful subject. Others believe that if Mr. Carr conducts his inquiry elsewhere, it would be like "dealing with us behind our back."

DOUBTS

After a closed-door meeting in Austin with Assistant U. S. Attorney General Herbert J. Miller, Mr. Carr privately began expressing doubts about where to hold court on the murder of the President, the shooting of Texas Gov. John B. Connally, the gunning down of police officer J. D. Tippit, and the bizarre killing of Lee Harvey Oswald, the President's alleged assassin.

More threats of murder have come slithering thru phone lines here. Mayor Earle Cabell has been guarded by a pair of armed men since his life was threatened last Sunday.

A prominent Dallas businessman, whose name is being withheld, received three phone calls at his home threatening his life and the life of his invalid wife, "if you so much as open your mouth about (Jack) Ruby."

Ruby is the Dallas nightclub owner who got into the Dallas police station last Sunday and silenced Oswald forever with a single gunshot as a national television audience watched.

KNOWS RUBY

The businessman who has

been questioned by the FBI, knows Ruby well enough to testify against him.

After the third phone call threat, the businessman confided:

"Waggoner Carr won't get me in any court of inquiry. If I am subpoenaed I will go. But I won't talk unless Carr puts a gun to my back."

Meanwhile, the operator of a Dallas graphic arts company told of having hired—and fired—Oswald a year ago. Robert Stovall said his firm hired Oswald as a trainee thru the state-operated Texas Employment Commission.

"I think it is a crime that people like Oswald can circulate thru the business community," Mr. Stovall said. "Why were we not told who he was?"

OSWALD FIRED

Mr. Stovall said Oswald was fired for incompetence after five months. He said Oswald was once seen on the job with "a communist newspaper," but it was his poor work, rather than this incident, that led to his discharge. Said Mr. Stovall:

"Later, when Oswald applied for a job elsewhere, the firm which was considering hiring him called me for a reference. I said Oswald had been seen with a communist newspaper. I'm sorry now that I didn't report that fact to the authorities."

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Waggoner Carr won't get me in any court of inquiry. If I am subpoenaed I will go. But I won't talk unless Carr puts a gun to my back.

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The National Observer _____
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Why She Didn't Dally in Dallas

By WILLIAM FEDERICI and NEAL PATTERSON

Jada from New Orleans, a red-headed stripper who was going great in Jack Ruby's Carousel Club until shortly before the boss blasted the midriff of Presidential assassin Lee Oswald, flew into New York yesterday—a refugee from Dallas.

It isn't that Jada (real name Jeannette Conforti, once in the Copa chorus line) believes that Ruby is about to be let out suddenly from the Dallas hoosegow.

Mighty Uncomfortable

It's just the thought of what MIGHT happen if he did get out, in view of some things she's said about him since last Sunday, that makes Jada mighty uncomfortable. That, and the tenseness of Dallas.

"Do I know Jack Ruby? You bet!" she told THE NEWS yesterday.

"I went there two months ago on a two-week contract to star in his club, only I found he had a fine print clause giving him the option to keep on renewing every two weeks, and I couldn't get away, though I have a cluh of my own I wanted to get back to in New Orleans.

"So I got to know Ruby real well—too well."

A Hot-Tempered Guy

The 27-year-old strip queen pictured her erstwhile boss as hot-tempered and a showoff, "comical but vicious," always anxious to curry favor with police and to impress visiting bigshots.

"He thrived on arguments and was always anxious to make a big showing," she declared. "He'd shower you with champagne on the first meeting—and then get mad and deliver an unexpected kick.

"Once," Jada said, "he opened my dressing room and pushed a drunk in. Then he followed in and beat the man mercilessly—and strutted out like a peacock to brag of what he'd done to a man who was 'annoying' his star.

"If he fought somebody he was always sure he had the advantage.

age: the party would be drunk, much smaller than he, or a girl.

"He always boasted that he had nothing to worry about, claiming he had bigshot friends on the police force or in the district attorney's office.

"He was always inviting cops in to drink, eat and see the show. No doubt it was this familiarity that got him into that police building where he shot Oswald."

Jada hadn't been around Ruby to speak of for nine days before he murdered Oswald. He became angry with her one night because she rebuffed his advances, she says, and had turned off the lights and ordered him offstage.

Judge Told Him Off

"He threatened to burn my clothing and maim me," she declared. "I was afraid of him and next day I got the sheriff's office to put him under a peace bond."

He owed her \$700 in salary at the time, she says, and her union, the American Guild of Variety Artists, took Ruby into court. A judge ordered him—after a tempestuous scene—to pay up. That

was two nights before the Kennedy assassination.

"Losing to me," said Jada, "hurt his prestige, which always needed building up because he wasn't smart enough to own those two clubs for himself. Other people put up the money. He was interested in only one thing—building up Jack Ruby."

Although Jada wasn't near Ruby at any time after the Kennedy murder, she learned from friends, she said, that he was badly shaken by the assassination.

"He even managed to be at the hospital before Mr. Kennedy died," the girl said. "That fits in with his idea that he should be around big events and prominent people."

"Great Bitterness"

"He expressed great bitterness at Oswald, I was told. He said the good image of Dallas was destroyed. He went back to the club and told his employees that he hoped somebody would redeem the prestige of Dallas."

By Sunday morning, the stocky, ex-Chicagoan had decided that he would act—and he did, doubly blackening the name of his adopted city.

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The National Observer
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(NEWS photo by Hal Matheson)
Jeannette (Jada) Conforti calls Jack Ruby a "show off" and "viscious."

Senators Launch Full Probe Into Kennedy Assassination

By the Associated Press

The Senate Judiciary Committee, reportedly in co-operation with the Justice Department, has launched an investigation into the assassination of President Kennedy.

Sources said the Justice Department already has begun furnishing information from FBI agents to the committee, headed by Senator Eastland, Democrat of Mississippi.

Senate Republican Leader Dirksen, top G. O. P. member of the committee, told reporters he expected public hearings next week before Congress starts a Christmas recess.

"No time will be lost," Senator Dirksen said.

O. K'd by Leaders

He told the Senate last night that a full-scale investigation by the Judiciary Committee

had been approved by Senate leaders of both parties.

The inquiry will cover not only the assassination of Mr. Kennedy last Friday as he rode in a motorcade through Dallas, but also the subsequent slaying of Lee Harvey Oswald, the accused assassin, by Jack Ruby, a Dallas night-club operator.

In Texas, meanwhile, State Attorney General Waggoner Carr said a court of inquiry into events related to the assassination will be convened shortly, probably in Dallas.

The Court of Inquiry is necessary, he said, because it is the only way short of a trial to get witnesses to testify under oath.

Disclosure Pledged

"Its purpose will be very simple: To establish what is fact and what is rumor in this matter," Mr. Carr told a news conference in Austin.

United States Assistant Attorney General Herbert John Miller, Jr., who appeared with Mr. Carr, said as soon as the facts in the Kennedy and Oswald slayings are assembled they will be made public "to tell the American public and the peoples of foreign lands what happened."

Mr. Miller is head of the Justice Department's Criminal Division.

Dallas police, on orders of Chief Jesse Curry, turned over to the FBI yesterday three large packages of evidence they had collected in the Oswald shooting. The packages included a large blue suitcase and two cardboard boxes, each a foot thick, one 2 feet by 2 feet and the other 2 feet by 3 feet.

The slaying of Oswald Sunday prevented a public trail to bring out the evidence collected by Dallas police in charging him with murder.

Will Explore Motives

Senator Dirksen said the Judiciary Committee's investigation will go into all aspects of the case, including the mo-

tives for the slayings and whether "any organizations from within or without" the country were involved.

Committee sources indicated that no special staff will be employed for the investigation.

President Johnson had directed the Justice Department and its FBI agents to make a full investigation.

Senator Stennis, Democrat of Mississippi, told the Senate last night the Judiciary Committee should proceed in its investigation "in keeping with the gravest and most solemn judicial traditions of this Nation."

He said witnesses should testify under oath and "away from the glare and distraction of television and news cameras."

Cites Rumors of Plot

Senator Keating, Republican of New York, a member of the committee, said that the public is asking for and is entitled to "a responsible investigation."

"Rumors are rife that this was part of a conspiracy or plot of some kind," he told the Senate.

The indignation over Mr. Kennedy's slaying also brought forth a flurry of bills that would make it a Federal crime to assault or assassinate the President or Vice President or many other Federal officials.

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A Sorry Record of Blunders

THE killing of Lee Harvey Oswald at Dallas makes it more difficult than ever to determine the whole truth about the assassination of President Kennedy. This fact has prompted Republican Representative William Ayres of Ohio to suggest that federal authorities be given exclusive control of such cases. He said he will introduce a bill to this effect next week.

Such legislation may be worthwhile. Certainly, the way in which the Dallas police handled Oswald was abominable. The police of course, were working under great pressure and the crowds in and around the police station made their task more difficult. But it is hard to understand why the police chief announced in advance the time that he planned to transfer Oswald to the county jail, thus making a public spectacle of what should have been a quiet security measure. At the very least, he could have limited the number of reporters and broadcasting crews allowed to witness the transfer. It is even harder to understand how Jack Ruby, Oswald's slayer, slipped through a supposedly tight police cordon.

This obvious mismanagement in the physical handling of the prisoner Oswald is disturbing enough. But no less disturbing was the statement of Will Fritz, a Dallas police captain, that "as far as we are concerned, the case is closed. . ."

The Dallas police and the FBI have

disclosed strong circumstantial evidence connecting Oswald with the killing of President Kennedy. But there remain many missing pieces in this puzzle of tragedy, so far as the public is concerned. Indeed, this case cannot be closed until every available fact is uncovered and made public. Fortunately, the attorney general of Texas has now promised a "thorough, complete and impartial investigation."

Perhaps the Dallas police have tried to do their best in handling this tragic affair. But their blunders have only served to strengthen the misgivings of those who suspect there is more behind the killing of President Kennedy than the embittered venom of an individual fanatic.

It is against a repetition of such a situation that Representative Ayres' bill would be directed.

Mr. Tolson
Mr. Belmont
Mr. Mohr
Mr. DeLoach
Mr. Casper
Mr. Callahan
Mr. Conrad
Mr. Felt
Mr. Gale
Mr. Rosen
Mr. Sullivan
Mr. Tavel
Mr. Trotter
Tele. Room
Miss Holmes
Miss Gandy

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4 TWIN CITY SENTINEL
Winston-Salem, N. C.

Date: 11-26-63
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Editor: Robert F. Campbell
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Jack Ruby's Attorney Denies Rift Reports

Attorney Tom Howard angrily denied Thursday reports of a rift between him and Melvin Belli, chief defense counsel for Jack Ruby. Howard was the first attorney retained by Ruby after the strip-joint operator shot the accused presidential assassin in the police garage in the basement of City Hall on Nov. 24.

Ruby is the nightclub owner charged with killing Lee Harvey Oswald.

"There is no discord whatsoever among defense lawyers," the attorney added.

"Mr. Belli and I are in complete agreement on handling the case," the late Dallas lawyer said. Mr. "I think Mr. Belli is a very capable lawyer," the local defense attorney concluded.

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Miss Holmes	_____
Miss Gandy	_____

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The Dallas
Times-Herald
Dallas, Texas

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Assassin Suspect Slain Amid Cops

Owner of Strip Joint Fires in View of TV

By HENRY MACHIRELLA and PAUL HEALY

Staff Correspondents of THE NEWS

Dallas, Nov. 24—A vengeful self-appointed executioner shot and killed Lee Harvey Oswald today, less than 48-hours after the pro-Castro Marxist was seized and accused of assassinating President John F. Kennedy Friday. Television viewers across the country saw strip joint owner Jack Ruby, 52, break through a police guard and shoot Oswald during a jail transfer.

Oswald, 24, died in a hospital less than two hours later, just as the first mourners began to file past the slain President's body in the great Rotunda of the Capitol in Washington.

Oswald's life ran out in the same hospital where the President had died two days before. Surgeons said he was unconscious and had no chance to make a death-bed confession.

Homicide chief Capt. Will Fritz announced that the case of the President's assassination was now closed. Ruby, a bachelor who was reported to have been brooding since the assassination, was charged with murder.

Convinced of Oswald's Guilt
Police had been fully satisfied that ex-marine Oswald, who once defected to Russia, was the assassin of President Kennedy.

"We had plenty of evidence to convict Oswald—fingerprints and everything," District Attorney Henry Wade declared. "But I've told the police that the Oswald case is moot now and we have to get on with the Ruby case."

Millions of network TV viewers the nation had been watching Oswald was about to be transferred from Dallas' Municipal Building to the Dallas County Jail.

Always Carried a Gun

Strict security precautions had been clamped around the building. But somehow Ruby managed to enter the police basement garage.

He dashed forward, leveling the nickel-plated pistol he always carried, and pumped a bullet into Oswald before detectives could seize him.

An investigation was under way tonight to find out how he

had gained entry to the building. In his car parked outside, detectives found his wallet containing identification papers and \$800, abandoned as if he knew he would not return.

One officer said that Ruby, who came here from Chicago 15 years ago, was well known around police headquarters and possibly had been passed through the security lines because of this.

At his arraignment, Ruby was reported "calm with no complaint." Three Dallas lawyers agreed to defend him. He was held without bail.

Justice of the Peace Pierce McBride, who received the murder complaint, signed by Fritz,

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Callahan ☒
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said that he had authorized an autopsy on Oswald. The charge against Ruby that he "on Nov. 24th, 1963, did then and there in malice aforethought kill Lee Harvey Oswald with a gun."

Ruby, who was in shirt sleeves, made no reply. If he is convicted he will go to the electric chair.

Police headquarters had received a number of threats against Oswald during the night. One told police to be careful for their own safety. Ruby was known to have a cordial feeling for the police.

Chief Expected No Trouble

By 11 A.M. about 200 persons had gathered outside the Municipal Building, which houses police headquarters to see Oswald transferred to the maximum security of the Dallas County Jail.

Police Chief Jesse E. Curry was asked if he expected any trouble. He replied with confidence, "We don't anticipate any trouble."

On the surface, precautions appeared to be adequate. The route for Oswald walk to an armored car had been searched more than once.

Only authorized persons who showed identification were allowed in the area.

Bullet-Proof Truck

At 11:07 A.M. a whitish bullet-proof truck, similar to those used by Brink's, backed to the top of the steeply sloping driveway that leads up from the police headquarters basement to the street.

It was the vehicle that was to carry Oswald 18 blocks to the county jail. Behind it stood two unmarked police sedans.

On one side of the driveway and facing the basement office door through which Oswald would come were two TV cameras. Around the cameras and lining one side of the driveway were more than 75 newsmen and scores of detectives and uniformed officers.

Oswald was Handcuffed

At 11:20 A.M. the door into the basement office opened and Capt. Fritz appeared at the head of a group of plainclothes detectives.

In their midst was Oswald, his wrists handcuffed together and attached to a detective at his side. He was wearing a charcoal-gray wool sweater.

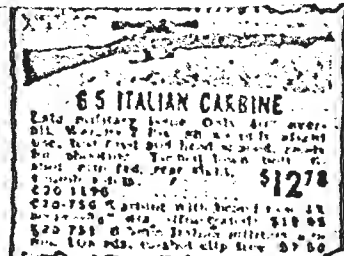
Detectives reported that after hours of interrogation Fritz had finally begun to "get through" to Oswald. The accused assassin was reported to have become less argumentative and belligerent.

As the doorway Fritz looked back to see whether his men were following him. Then the group walked steadily toward the driveway and the TV cameras. Oswald wore a slight smile.

Breaks Through Crowd

Suddenly there was a commotion among the waiting newsmen and a squat man charged from among them to confront Oswald. In his hand was a gun.

Even before he fired, Oswald must have seen the leveled weapon, for his features showed with shock. He appeared to put his hands to his stomach.



This is an ad from a Chicago mail order house describing the type of weapon used to kill the President. FBI says letter in Oswald's handwriting, but under an assumed name, was sent there ordering a \$12.78 rifle.

the crash of the shot echoed through the basement.

The bullet struck Oswald below his left rib cage and he crumpled, holding his stomach. The handcuffs linking him to the detective prevented him from falling to the ground.

Detectives leaped at the assailant and after a brief, violent struggle dragged him toward the door of the basement office.

Oswald Lies on Floor

Oswald was pulled, pale and silent but with his eyes open, to the office, where he lay on the floor. Ruby stood about five feet away.

The scene was utter confusion. Detectives drew their guns and spectators milled around shouting.

At 11:25 an ambulance backed up to the door of the basement office and Oswald, his eyes still open, was carried into it.

The armored car blocking the driveway was moved and the ambulance raced with siren screaming to Parkland Hospital. Shouts went up among the crowd outside the Municipal Building: "They got Oswald... they shot him!"

Lost Little Blood

The ambulance reached Parkland Hospital at 11:30 A.M. It backed up to the emergency receiving dock and attendants wheeled Oswald out.

He was lying on his left side with his right leg drawn up over his midsection. His face was ashen and he appeared to be unconscious.

No blood was visible and later surgeons said that the accused assassin had lost little blood externally.

Oswald was wheeled swiftly down the corridor past the nurses' reception room and into the same emergency suite here President Kennedy and Gov. John Connally were taken after Friday's shooting.

Seek Blood for Transfusion

Ten minutes later, at 11:40 A.M., he was moved into an operating theatre and a call went out for A-type blood.

The assistant administrator, Steven Landragan, announced: "Dr. Tom Shires, chief of surgery from the South Western Medical School, advises me that Lee Oswald is currently undergoing surgery for a single gunshot wound that entered on his left side and did not exit. The patient is in extremely critical condition."

Landragan explained that Dr. Shires was one of the surgeons flown in from Galveston to attend President Kennedy and the Texas governor Friday.

He said that blood was being given to Oswald and that a tube had been inserted in his throat to permit breathing.

The emergency facilities at the hospital were on the alert before today's shooting. "We anticipated the slight possibility that this might happen and had alerted the emergency room," Landragan said.

"We had received word that there was a considerable crowd downtown. I don't mean we had anticipated the shooting, but we alerted emergency because we felt there might be some type of disorder."

At 1 P.M. the surgeons working on Oswald reported that he had suffered a massive injury to his abdomen. Bleeding had been controlled but he had suffered a "cardiac arrest."

Surgeons Massage His Heart

Surgeons were massaging his heart, keeping him alive by manual action.

Oswald was then placed on a pacemaker—an electronic instrument which sends impulses to the heart in the normal rhythm of the heart.

This appeared to offer hope for Oswald's recovery.

But he died at 1:07 P.M.—one hour less two days after President Kennedy died in the same hospital.

Could Feel Bullet

While in the press room, wearing his operating gown, Dr. Shires said:

"Oswald died at 1:07. In the operating room of the gunshot wound which he had received. We could feel the bullet underneath the skin on his right side.

"The course of the bullet through the abdomen had injured all the major vessels, including the spleen, pancreas, right kidney and right lobe of the liver.

"After the death we removed the bullet, which looked like a .38 caliber."

Strict Security at Hospital

Oswald's brother, Robert was in the hospital when Oswald died. Oswald's Russian wife, Marina, with their month-old baby and daughter, nearly 4, went to the hospital. Oswald's 56-year-old mother also arrived. Neither cried. Stringent security precautions were taken at all hospital entrances. News men had to show identification and then were searched.

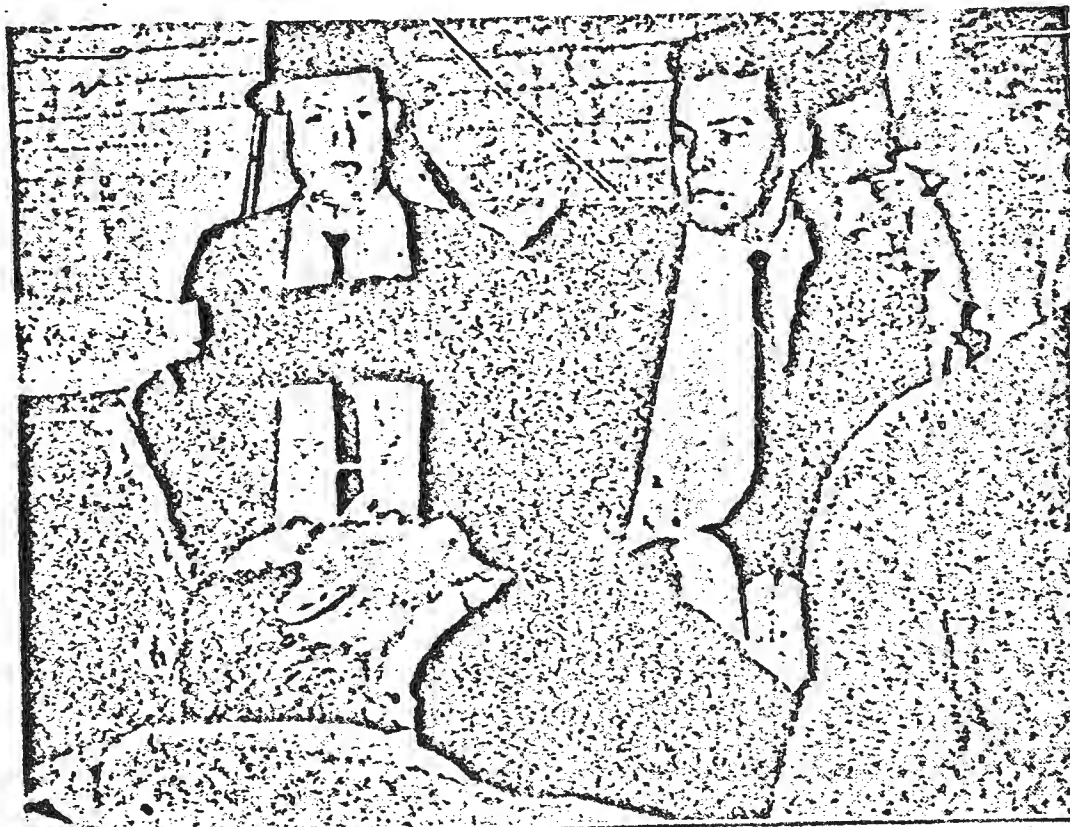
Only a Groan or Two

Shires said that while Oswald never regained consciousness he "groaned a time or two" on the operating table.

"I suppose he was conscious for a few minutes after he was shot, but when he got to the emergency room the pupils of his eyes were beginning to dilate in the way of dying persons," Shires said.



(Associated Press Wirefoto)
Jack Ruby is escorted through Dallas jail in handcuffs to be arraigned for murder of Lee H. Oswald.



(UPI Telefoto)
Accused assassin, Lee Harvey Oswald, is carried unconscious to waiting ambulance.

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 Miss Gandy _____

RUBY CASE**Trial Delay Seen
If Transfer Made**

By CARL FREUND

A transfer of the Jack Ruby murder trial to another county would delay its start, prosecutors said Tuesday.

Assistant Dist. Attys. Frank Watts and William F. Alexander said the judge of whatever court to which the case might be transferred would set a new trial date. "Since he would already have cases set on his docket, there would be a delay," Alexander noted.

Malvin Belli of San Francisco, the chief defense lawyer, told Judge Joe B. Brown that Ruby's attorneys intend to ask for the transfer. Dist. Atty. Henry Wade has said he will contest it.

Judge Brown could schedule a hearing to hear arguments on the question of whether Ruby could get a fair trial here. Or he could wait until the date of Ruby's trial and then take up the matter.

If he saw fit, the judge could order lawyers to try to choose an impartial jury here. Then, if they were not successful, he could move the trial.

Ruby's trial is scheduled Feb. 3 in Criminal District Court No. 3. Belli said, however, that he will request a delay until Feb. 10 "because of a conflict."

The defense lawyer, who heaped praise on Judge Brown, said he would like for the judge to "go

with the case" and preside in another county if the trial is transferred.

Prosecutors said this procedure is seldom used.

Normally, they said, the judge of the new court presides when a trial is transferred.

Dallas residents reported they have received phone calls from a man who asked whether they thought Ruby could get a fair trial here on a charge of murdering Lee Harvey Oswald, an embittered Marxist accused of assassinating President Kennedy. The caller said he was "making a survey of community sentiment."

Prosecutors speculated defense lawyers might have arranged for the survey to get evidence to support their claim Ruby could not receive a fair trial here.

Belli said news stories would block a fair trial in Dallas.

Wade disagreed.

Belli suggested Houston, San Antonio or Fort Worth as possible trial sites.

If Judge Brown transfers the case, prosecutors may suggest a West Texas court. They can point out there is less television in West Texas than in the cities suggested by the defense lawyers.

Millions of Americans watched on television as Ruby shot Oswald in the City Hall basement. TV newscasts have also included pictures and comments about the case.

Wade and his assistants—A. D. Jim Bowie, Watts and Alexander—would join prosecutors in the new county in trying to convict Ruby if the case is transferred. The district attorney there would probably take the lead in choosing a jury and Wade would then take charge of presenting evidence.

(Indicate page, name of newspaper, city and state.)

1 "The Dallas
Morning News"
Dallas, Texas

Date: 12-25-63
 Edition:
 Author:
 Editor:
 Title: Jack B. Krueger

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 Classification:
 Submitting Office: Dallas

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Ruby's Attorneys To Request Trial Shift From Dallas

By KEITH SHELTON
Staff Writer

Attorneys for Jack Ruby, who failed to get him out of jail at his bond hearing, will try to get his February trial moved from Dallas.

Melvin Belli, the San Francisco attorney who led defense counsel at Monday's bond hearing, which was recessed until Jan. 10, indicated to Judge Joe B. Brown that he will ask that the trial be moved to another city.

He cited statements in the Dallas Morning News as the reason he felt his client could not get a fair trial in Dallas.

The attorney also said he will ask for a week's postponement in the trial date—from Feb. 3 to Feb. 10.

Rough outlines of the prosecution and defense to be used in the case were painted in by Dist. Atty. Henry Wade and his staff and the defense attorneys.

The prosecution called Capt. Will Fritz of the police Homicide and Robbery Bureau and Detective James R. Leavelle, who was handcuffed to Lee Harvey Oswald, accused assassin of President Kennedy, at the time Oswald was shot.

They testified as to the condi-

tions at the time and Detective Leavelle identified Jack Ruby as the man who shot Oswald.

Defense attorneys called Ruby's roommate, George Senator, who pictured the defendant as a man highly agitated by the death of President John Kennedy.

He said he and Ruby went to the post office in the middle of the night to investigate the box number on an ad critical of President Kennedy and went by and took pictures of a poster saying "Impeach Earl Warren." Both up-

Mr. Tolson	_____
Mr. Belmont	_____
Mr. Mohr	_____
Mr. Casper	_____
Mr. Callahan	_____
Mr. Conrad	_____
Mr. DeLoach	_____
Mr. Evans	_____
Mr. Gale	_____
Mr. Rosen	_____
Mr. Sullivan	_____
Mr. Tavel	_____
Mr. Trotter	_____
Tele. Room	_____
Mr. Holloman	_____
Miss Gandy	_____

(Indicate page, name of newspaper, city and state.)

"The Dallas
Times-Herald"
Dallas, Texas

Date: 12-24-63

Edition:

Author:

Editor: Felix R. McKnight

Title:

Character
or

Classification:

Submitting Office: Dallas

4 JAN 10 1964

44-2406-A
JAN 9 1964

set Ruby, the roommate testified.

The defense also called a small 19-year-old stripper, Karen Lynn Bennett, who caused a stir when a pistol was taken from her purse at the entrance to the courtroom. She was charged with carrying a concealed weapon.

She testified she called Ruby on Saturday night after the assassination and asked him to wire her \$25 to pay her rent.

This would establish the reason for Ruby's being at the Western Union office, which is in the same block as City Hall, on the day Oswald was shot.

Next, Mr. Belli called Doyle Edward Lane, the Western Union employee who handled the Sunday morning wire for Ruby.

At this point, three-and-one-half hours after the start of the hearing, Judge Brown called a halt and said that in view of the testimony and the impending Christmas holiday he would recess the hearing until 10 a.m. Jan. 10.

Ruby went back to jail for the holidays.

KEY POINT

Prosecution attorneys made a key point in their case when Capt. Fritz quoted Ruby as saying of Oswald's black eye, "When I saw that shiner, I knew who I was going for."

Capt. Fritz said Ruby saw the black eye on Oswald at a Friday night press conference. Under questioning by Mr. Belli, he said Ruby also saw the "shiner" Sunday morning.

Defense attorneys also attempted to lay the ground for their change of venue request. They made reference to a statement by Capt. Fritz that Oswald was guilty of shooting the President and a statement by Dist. Atty. Wade that Oswald should get the death penalty if he were guilty.

Mr. Belli said he would base his venue change argument on statements in the Dallas Morning News, particularly a story which identified a man who accompanied him as a "bodyguard."

The defense attorneys said they wanted Judge Brown to try the case wherever it is held.

The defense produced testimony to show Ruby always carried from \$1,500 to \$3,000 on him at all times and as a result also always carried a gun.

Little new information was brought out at the hearing. Detective Leavelle said he saw Ruby's hand "contracting" on the gun after the first shot was fired into Oswald. The defense tried to show Ruby had time to fire more bullets he had wanted to.

Mr. Belli said he will bring psychiatrists back to examine his client again.

(Mount Clipping in Space Below)

Sheriff Provides Ruby With Strong Protection

Deputies Present Shield In Transfer to Court

Sheriff Bill Decker led a human shield of deputies which protected Jack Ruby as he was transferred from a jail cell to Judge Joe B. Brown's district courtroom in an adjoining building Monday morning.

Other deputies maintained a tight ring of security around the block containing the county jail and courthouse prior to the transfer and subsequent hearing.

Ruby was whisked from the second floor jail elevator to a room near the courtroom at 7 a.m., three hours before the hearing was scheduled.

The hallway was deserted, but deputies stood at strategic spots and along stairwells.

The short defendant in the murder of Lee Harvey Oswald was barely visible between husky deputies around him when the transfer was made. He appeared pale and nervous when viewed by Times Herald reporter Jerry Richmond, the only newsman to witness the swift move.

Sheriff Decker expressed confidence in the security arrangements. "We expect no problems," he said. "We are going to bring

a man into the courtroom and we are going to take a man out."

In the courtroom were seven deputies and two bailiffs in addition to the four personal guards around Ruby.

First spectators arrived an hour before the hearing. They were searched and allowed to take seats on the last two rows.

Several cameras were taken from spectators, some of whom brought young children to the hearing.

Inside Sheriff Decker's office, stacked in rows on the floor, were riot guns, rifles, machine guns, ropes with hooks and other emergency gear.

No one except attorneys and officers of the court were allowed beyond the rail separating the spectator area from the main part of the courtroom. A limited number of seats were made available

Mr. Tolson
Mr. Belmont
Mr. Mohr
Mr. DeLoach
Mr. Casper
Mr. Callahan
Mr. Conrad
Mr. Felt
Mr. Gale
Mr. Rosen
Mr. Sullivan
Mr. Tavel
Mr. Trotter
Tele. Room
Miss Holmes
Miss Gandy

(Indicate page, name of newspaper, city and state.)

B. The Dallas
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Dallas, Texas

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Edition:
Author:
Editor: Felix R. McKnight
Title:

Character:
or
Classification:
Submitting Office: Dallas

34 JAN 10 1964

inside the rail for visiting
ers.

RESERVED SECTION

The first two rows of the spectators section were reserved for press media representatives.

Three large windows in the courtroom were shuttered by drawn Venetian blinds and no one was allowed to sit in the jury box. The windows face a shaft between administrative offices in the courtroom of Dist. Judge Henry King and Judge Brown's courtroom.

Deputies were stationed across the narrow shaftway. Some 10 feet below the windows in Judge Brown's courtroom is the roof of the first floor of the courthouse.

DETAILS SECRET

After stepping off the jail elevator, Ruby and his entourage of deputy sheriffs disappeared around a corner and out of sight of a Times Herald reporter—the only newsman to view the swift and early transfer.

The transfer was accomplished amid an extensive security web set up by Sheriff Decker to prevent any possible incident during the bond hearing. Details of the security plan were kept secret by Mr. Decker until implemented in Monday's pre-dawn hours.

Deputy sheriffs were spread around the county courthouse complex with lightweight but powerful two-way radios for instant communication. They patrolled the streets and sidewalks around the courthouse in sub-freezing weather while others were posted in the courtrooms, halls and offices adjoining and near Judge Brown's courtroom.

CITY POLICE HELP

A special squad of city policemen was dispatched to handle traffic around the courthouse itself. Inside the building, sheriff's deputies were stationed at every possible approach into the building and to the area of the criminal courts on the second floor.

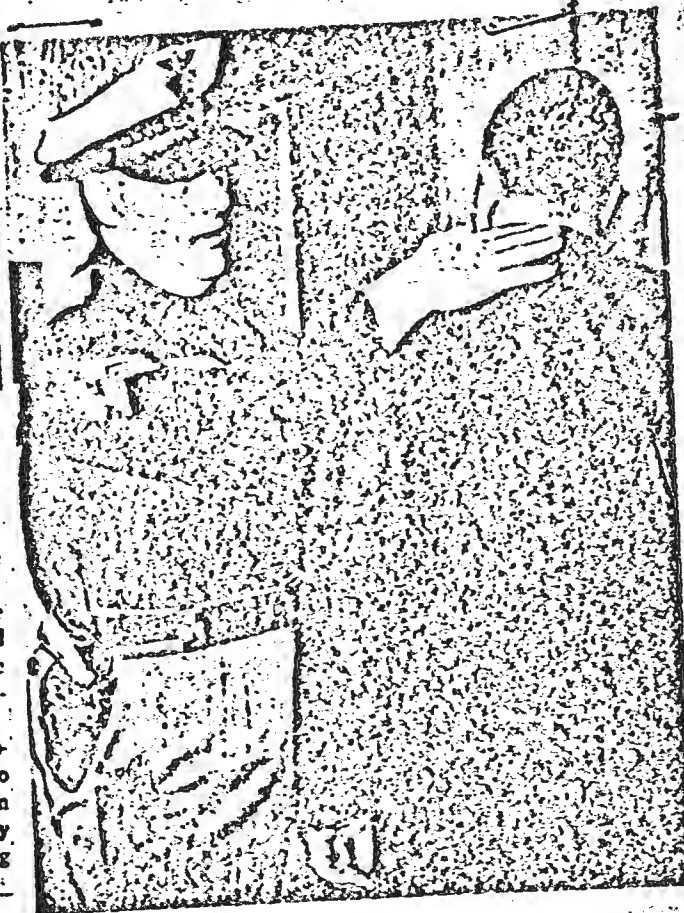
A contingent of reserve deputies gathered in another courtroom nearby. The reserves were to act as a pool for emergency assignments.

Four sheriff's detectives were assigned to guard Ruby. Each time he moved they were to form a complete shield around the nightclub operator, Sheriff Decker said.

"We have enough men to do the job," Mr. Decker said.

He indicated that he had more than 25 men on the job and said there was no way to estimate the crowds expected to jam the courthouse for the bond hearing.

Only 40 news media representatives, without cameras, were to be allowed inside the courtroom after the hearing started. They were identified by badges bearing their photographs.



SPECTATOR SEARCHED

Sgt. R. W. Neal of Sheriff Bill Decker's staff searches a spectator entering Judge Joe B. Brown's courtroom for the Jack Ruby bond hearing Monday morning.

—Staff Photo.

(Mount Clipping in Space Below)

Mr. Tolson _____
 Mr. Belmont _____
 Mr. Mohr _____
 Mr. Casper _____
 Mr. Callahan _____
 Mr. Conrad _____
 Mr. DeLoach _____
 Mr. Evans _____
 Mr. Gale _____
 Mr. Rosen _____
 Mr. Sullivan _____
 Mr. Tavel _____
 Mr. Trotter _____
 Mr. Tele. Room _____
 Miss Holmes _____
 Miss Gandy _____

Tough Texas Prosecutor

Henry Menasco Wade

Special to The New York Times

DALLAS, Tex., Nov. 27—
 Henry Menasco Wade, who will prosecute the man indicted as the slayer of President Kennedy's accused assassin, was once in law-enforcement work in New York City, as well as in several other states and countries. The 49-year-old Criminal District Attorney of Dallas County has been wryly amused at rumors in recent days of friction between himself and the Federal Bureau of Investigation in dealing with the case of Lee Harvey Oswald, the accused assassin, and Jack Ruby, the man who faces trial.

Man in the News
 Mr. Wade is an alumnus of the F.B.I. As an agent from 1939 to 1943, he served in Boston, Baltimore and Washington, worked on harbor security in New York and did anti-Nazi undercover work in South America, mainly in Colombia. One picture on his office wall is a portrait of Lyndon B. Johnson. Another is of J. Edgar Hoover.

He went from the F.B.I. into the Navy as an ensign. He took part in the Okinawa operation and played poker with Ernie Pyle, a shipmate, before the correspondent was killed. He was also on the U.S.S. Hornet in the Battle of Leyte and the Philippines invasion.

Today, with curly hair recently turned iron-gray, he carries 200 pounds on his solid 5-foot-10 frame. He has piercing eyes and the earnest, authoritative manner of a backfield coach.

He is a member of one of Texas' most prominent legal families. His father, who bore the same name, was a judge in nearby Rockwall County. He has seven brothers, and five of them are lawyers or judges in Texas.

The Latin-sounding middle name of Menasco actually was that of a legendary Indian prince among Mr. Wade's forebears.

His title of Criminal District Attorney signifies, paradoxically, that he handles both criminal and civil cases for the county. In contradistinction to Texas' numerous counties where the District Attorney handles only criminal matters and the County Attorney only civil matters.

Friction between his organization and other law-enforcement agencies is minimal, because his office is not

(Indicate page, name of newspaper, city and state.)

23 NEW YORK TIMES

Date: 11/28/63
 Edition: LATE CITY
 Author: HENRY MENASCO WADE
 Editor: THOMAS O'LEARY
 Title: JACK LEE OSWALD - wa
 LEE HARVEY OSWALD - VIC.
 UNDER INVESTIGATION
 Character:
 or
 Classification:
 Submitting Office: NYO

NOT RECORDED
 128 JAN 7 1964

93
 182 JAN 15 1964

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 JAN 10 1964

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Investigative; such work is done here, on a county level, by the sheriff.

The Criminal District Attorney concerns himself with everything from murders to defending the county against lawsuits over chuck holes in the paving.

Mr. Wade has 42 assistant district attorneys and a total staff of 80. He has an annual budget of \$400,000—more than offset last year by \$680,000 in fines. His office had 2,348 convictions last year in the Criminal District Court where Ruby will be tried, probably in January.

In 24 capital cases the District Attorney has tried during 13 years in office, he has won 22 convictions.

Mr. Wade was born in Rockwall, Tex., on Feb. 11, 1914. He captained the football team at Rockwall High and was valedictorian of the class of 1933.

He went to the University of Texas at Austin on a football scholarship, roomed with Texas' present Governor, John B. Connally Jr., worked his way through college and was president of his law-school class.

After the war he served as an assistant district attorney, was briefly Rockwall County Attorney and worked in private practice. He was elected to his present \$15,000-a-year job in 1950.

Mr. Wade is married to the former Yvonne Hillman, his onetime secretary. They have three daughters and two sons. He is a Methodist.



Associated Press

An F.B.I. alum

(Mount Clipping in Space Below)

Ruby Attorneys Seek Testimony Of Psychiatrist

The psychiatrist who examined nightclub operator Jack Ruby for the state has been subpoenaed to appear with his records at a scheduled Monday bond hearing. Attorneys for the slayer of Lee Harvey Oswald filed the subpoena late Thursday, directing Dr. John T. Holbrook to appear before Dist. Judge Joe B. Brown and bring

his records on his examination of Ruby.

The state is expected to fight the apparent defense effort to place Dr. Holbrook on the stand in the hearing to determine whether Ruby should be released on bond. He is charged with murder with malice in the slaying of Oswald, the accused assassin of President John F. Kennedy.

Defense attorneys say they want Ruby released on "a reasonable bond" in order to obtain psychiatric examination and treatment, if necessary.

The district attorney's staff previously indicated no written report was made by Dr. Holbrook after he examined the nightclub owner in his county jail cell.

Dist. Atty. Henry Wade indicated Dr. Holbrook had found Ruby sane in preliminary examinations. Mr. Wade told newsmen that Melvin Belli, the West Coast attorney now heading Ruby's battery of defense attorneys, was the only person claiming his client was insane.

Meanwhile, Mr. Belli and an associate, Sam Brody, were scheduled to arrive in Dallas Friday to prepare for the Monday hearing. They will meet with J. H. Tonahill of Jasper, and Dallas attorneys Tom Howard, Phil Burleson and Jim Martin.

A series of defense counsel conferences has been scheduled throughout the weekend, according to the local lawyers.

The Monday bond hearing and the trial, scheduled for Feb. 3, will be closed to television, radio and still photographers.

Thursday, Judge Brown announced that the ban, originally announced for the hearing, would be extended to the full murder trial.

Mr. Tolson
Mr. Belmont
Mr. Mohr
Mr. Casper
Mr. Callahan
Mr. Conrad

Miss Gandy

(Indicate page, name of newspaper, city and state.)

25 "THE DALLAS TIMES-
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DALLAS, TEXAS

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(Mount Clipping in Space Below)

Judge Brown Decides Ruby To Stand Trial in Dallas

BY CARL FREUND

Judge Joe B. Brown ruled Friday that Jack Ruby must stand trial here Monday on a charge of murdering Lee Harvey Oswald.

Judge Brown said he wants lawyers to try to select an impartial jury here. He termed this the "true test" of whether Ruby can get a fair trial in Dallas.

If they fail, Judge Brown noted, he can still move the trial to another county.

Judge Brown announced also that he would use the Criminal District Court of Judge J. Frank Wilson for the trial. It will seat about 200 persons—almost three times the number Judge Brown's courtroom will accommodate.

"JUDGE WILSON has generously offered to let me use courtroom, and I have accepted," Judge Brown said. "The larger quarters will accommodate more reporters to attend the trial."

While millions watched on television, Ruby shot Oswald in the City Hall basement Nov. 24.

Police had charged that Oswald, a 24-year-old Marxist, was the sniper who killed President Kennedy and Officer J. D. Tippit and critically wounded Gov. John Connally two days earlier.

Judge Brown's ruling represented another victory for Dist. Atty. Henry Wade and his associates.

Mr. Tolson _____
Mr. Belmont _____
Mr. Mohr _____
Mr. Casper _____
Mr. Callahan _____
Mr. Conrad _____
Mr. Felt _____
Mr. Gale _____
Mr. Rosen _____
Mr. Sullivan _____
Mr. Tavel _____
Mr. Trotter _____
Tele. Room _____
Miss Holmes _____
Miss Gandy _____

(Indicate page, name of newspaper, city and state.)

"The Dallas
Morning News"
Dallas, Texas

Date: _____
Edition: _____
Author: _____
Editor: Jack B. Krueger
Title: _____

Character: _____
or
Classification: _____
Submitting Office: Dallas
☐ Being Investigated

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sistants, A. D. Jim Bowie and William T. Alexander, in their courtroom 'duel' with defense lawyers headed by Melvin Belli of San Francisco.

BELLI CONTENDED Ruby, who ran a downtown club where strippers peed, could not get a fair trial here. The lawyer asked Judge Brown to transfer the case to another county at least 200 miles away.

Judge Brown did not reject the defense request outright. Instead, he withheld a ruling on it and told lawyers to try to get a jury here.

This was what Wade wanted. The district attorney had told Judge Brown, "They say we can't get an impartial jury here. Let's try. The proof is in the pudding."

IN OTHER developments Friday:

--Belli said defense lawyers will "do everything this side of insulting a prospective juror" during intensive questioning to determine whether potential jurors have prejudices.

--Another defense lawyer, Joe Tonahill of Jasper, said Ruby's attorneys "are not inclined at this time" to seek a pretrial sanity hearing for the balding 52-year-old slayer.

--Tonahill said Tom Howard of Dallas, the first lawyer hired by Ruby after the slaying, may withdraw from the case because of illness in his family.

--**WADE SAID** he would "welcome the opportunity" to cross-examine Ruby, but defense lawyers said they haven't decided whether they will put him on the stand.

--Judge Brown locked away a report by psychiatrists who analyzed a "brain wave" examination and other neurological tests given Ruby. The judge instructed lawyers not to discuss

the report with reporters until it is introduced as evidence.

Judge Brown ordered lawyers to report at 8 a.m. Monday. He said, however, that he does not expect questioning of prospective jurors to start before 10:30 a.m.

CLERKS MUST prepare a roster of members of the jury panel before the questioning can begin.

Judge Brown did not say how much time he will give lawyers to try to get a jury here.

Defense lawyers said they will fire a barrage of questions at each potential juror. Tonahill said some will spend an entire day on the stand.

Prosecutors expect Ruby's lawyers to do everything they can to disqualify as many potential jurors as possible and, in that way, force Judge Brown to transfer the trial.

TONAHILL said:

"The Supreme Court says we may inquire into the minds of prospective jurors at length . . . in great detail . . . as long as we do not ask questions which involve disgrace and infamy.

"We do not intend to insult anyone, but we will ask numerous questions to determine their conscious, subconscious and unconscious thoughts. We want to know whether they think Dallas is on trial. We want to know whether they would be prejudiced against Ruby because of his religion or his association with strippers.

"We also want to know how they felt toward President Kennedy. We think that is very important."

WADE EMPHASIZED the basic question is whether a potential juror could give Ruby a fair trial, basing his verdict on testimony heard from the wit-

ness stand and legal instruction given by the court.

Wade said he was "highly pleased" with Judge Brown's ruling. Prosecutors will be ready Monday, Wade said.

Wade will argue that Ruby shot Oswald in the mistaken belief the act would bring "fame and fortune." As a result, Wade will argue, Ruby should die in the electric chair.

Defense lawyers will say Ruby was temporarily insane and "acted like a robot" as a result of emotional shock brought on by the assassination.

AFTER JUDGE BROWN announced his decision, Tonahill quipped, "I guess the judge didn't understand me correctly. I asked him to move the trial 200 miles, and he moved it 200 feet."

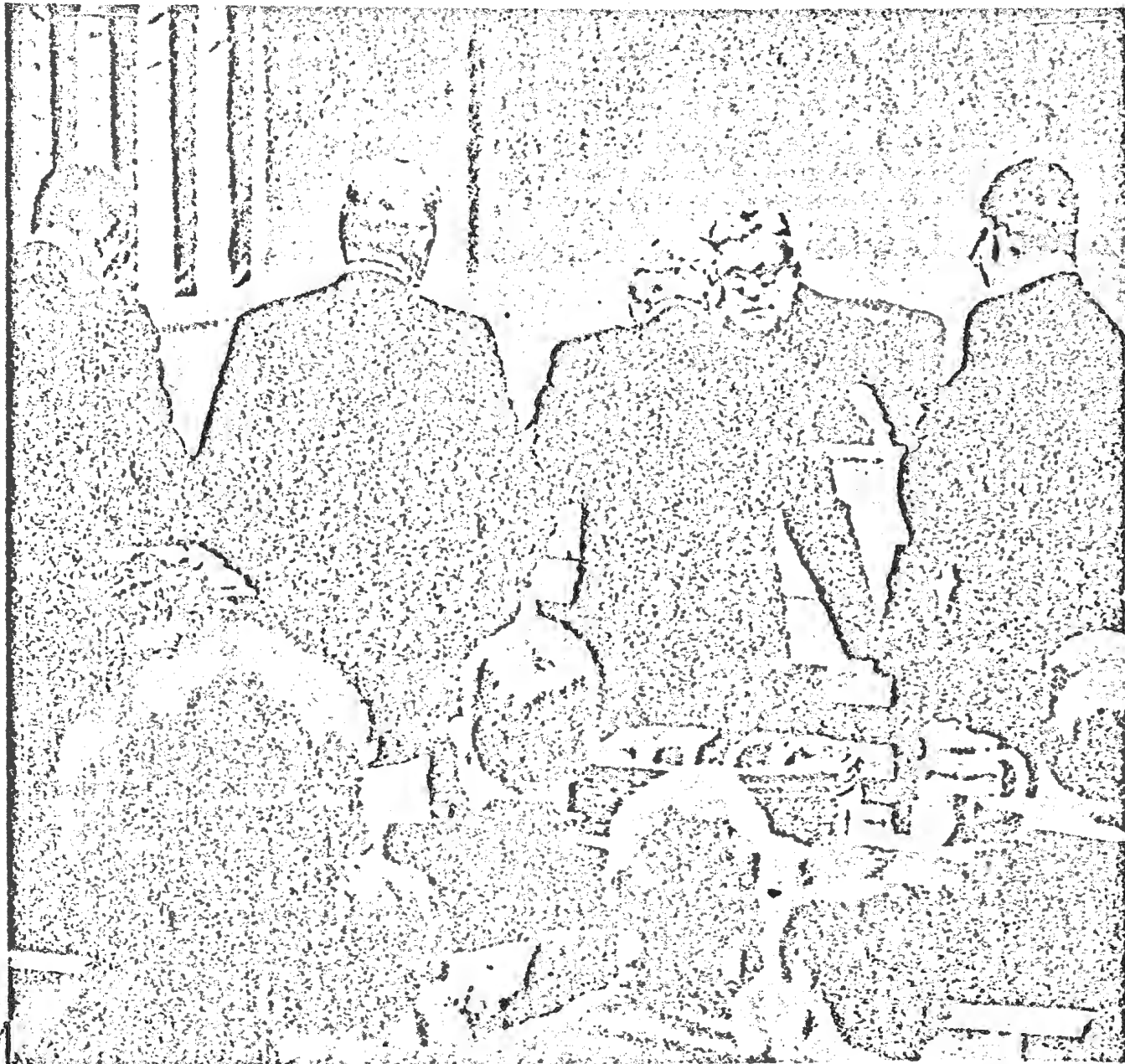
Tonahill said defense lawyers would not go to a higher court immediately in an attempt to force Judge Brown to transfer the trial.

Ruby's lawyers had said earlier they might ask a federal court to stop Judge Brown from holding the trial here.

If Ruby is convicted here, Tonahill said, defense lawyers will argue before the Court of Criminal Appeals that he should get a new trial because he was tried before a prejudiced jury.

A SPOKESMAN for the Bloom Advertising Agency, which is handling press arrangements for Judge Brown, said space will be available for most—if not all—reporters in the larger courtroom.

A representative of the agency will meet with reporters at 3 p.m. Sunday in the Texas Room of the Baker Hotel to discuss arrangements for coverage of the trial. Reporters and photographers from throughout the world have converged on Dallas.



—Dallas News Staff Photo by Jack Ebers

Huddling with Judge Joe B. Brown Friday are
Assistant Dist Atty. A. D. Jim Bowie, Dist. Atty.

Henry Wade, and Jack Ruby's defense attorneys,
Melvin Belli and Joe Tonahill, from left.

3

Law Professor Says Belli Makes Circus Out of Trial

By RICHARD M. MOREHEAD
Austin Bureau of The News

AUSTIN, Texas -- Attorney Melvin Belli "tries to make a circus out of everything," a Harvard law professor charged here Friday.

The remark by Professor Louis L. Jaffe brought scattered applause from the audience at the University of Texas law school, where Jaffe spoke on "Public Regulation of Mass Media."

Jaffe said that coverage of trials, particularly by television, is raising serious questions for the administration of justice. He cited the Jack Ruby case in Dallas as an example, and commented "Belli's making a circus of it . . . He

tries to make a circus out of everything."

Speaking generally, Jaffe said American judges may be forced to use their powers to punish for contempt those who publish or broadcast advance information which interferes with holding a fair trial.

"I see small likelihood of the media themselves exercising this restraint," said Jaffe. "Once they get going downhill, they seem to go faster and faster."

The speaker said controls through the court should begin with the lawyers on both sides, and include judicial policing of the press.

James C. Hagerty, vice-presi-

dent of American Broadcasting Co. in New York, and press secretary to former President Eisenhower, agreed with critics that the press sometimes abuses its privileges.

Explaining that he spoke as "a Monday morning quarterback," Hagerty said "there'd have been no criticism from me" if Dallas police had barred the press from the police station after the shooting of President Kennedy. Police spokesmen could have "come out side and made reports" about the case.

The sheer numbers of photographers and reporters on big stories make restriction necessary, said Hagerty. He predicted greater use of "pooling" arrangements. On some Eisenhower trips abroad, said Hagerty, upwards of

125 U.S. newsmen went along but only a few "pool" reporters actually saw the President during an entire trip. Others relied on information supplied by the "pool" observers.

American newsmen, particularly White House correspondents,

were praised by Hagerty. "For day in, day out excellence—and pure darn cussedness in digging out facts—there is no one better than the trained American press," Hagerty commented.

The speaker expressed opinion that discussions leading up to certain executive decisions should be kept secret, but otherwise he favored full disclosure unless national security is involved.

Educational television, and the need for more programs of so-called "higher cultural" content, received endorsement by both

Hagerty said the three existing national networks favored establishing a fourth "educational" network, but said many problems need to be worked out with the commercial TV companies.

Hagerty told questioners American Broadcasting Co. will offer free debate time to Democrat and Republican candidates for president this year, and "appropriate" time to lesser candidates.

4

Open: 12 Jobs at \$5 a Day

Ruby Jurors Can Prepare for Long Stay

By CARL FREUND
News Staff Writer

Want a month away from the wife and kids?

You may get it if you're chosen for jury duty in the Jack Ruby murder case.

Attorneys estimate they will need from three to five weeks to try Ruby on a charge of murdering Lee Harvey Oswald, the Marxist sniper accused of assassinating President Kennedy here.

As each juror is accepted, he will be "locked up" with other members of the jury. He won't get a chance to go home or visit friends until the trial ends.

IF HE GETS to read a newspaper, he'll find numerous stories scissored out. Since he is not allowed to read about the trial, bailiffs must "censor" papers given jurors and clip out stories written by reporters in the courtroom.

The judge can bar radios and television sets from their quarters to keep jurors from hearing newscasts which might influence their deliberations.

Attorneys will refer to veniremen, peremptory challenges, conscientious scruples and the court's charge repeatedly during the tedious task of choosing the jury.

They use these words daily. But they may confuse the 900 men and women called for jury duty.

These men and women are veniremen. The word refers to prospective jurors.

When a lawyer uses a per-

emptory challenge, he says, in effect, "Judge, we don't want this man on the jury."

THE LAWYER need not give any reason. It may be that he didn't like something about the venireman's background or the way he shifted his eyes around the courtroom during questioning.

Each side is limited, however, in the number of peremptory challenges it may use during a trial.

The prosecution and defense are allowed 15 each in a capital case.

Lawyers place a high value on these challenges. Their use may determine the outcome of a trial.

An attorney asks himself, "Should I reject this man? He's not the type of juror I would prefer. But, if I use up my challenges too soon, I may be forced to accept veniremen I really don't want on the jury."

There is another type of challenge—the challenge for cause.

A prosecution or defense lawyer may challenge a venireman on grounds he would not make a fair juror because of opinions he cannot set aside.

IF THE JUDGE agrees, he disqualifies the venireman.

There is no limit on these challenges. They may involve the venireman's views on various aspects of the case.

Obviously, a venireman would be disqualified if he testified he had a strong opinion about

Ruby's guilt and could not cast it aside.

A venireman would disqualify himself also if he said he could not give Ruby a fair trial because the 52-year-old slayer had managed a striptease club.

Attorneys could challenge a venireman if he said he would not give "fair consideration" to a defense request for a suspended sentence.

This does not mean he must promise to suspend the sentence if he convicts Ruby, but merely that he would consider suspending the sentence if it is five years or less.

Lawyers will talk about conscientious scruples when they question veniremen about their views on the death penalty.

A VENIREMAN has conscientious scruples against the death penalty—and is subject to disqualification—if he says he could not assess it in any case because of his moral or religious views.

A judge may rule that a venireman is not disqualified on this point if the potential juror says he can imagine a case so horrible that he could assess the death penalty.

Each juror will be told he

must agree to follow the court's charge. This is a legal term which means instructions from the judge.

The jurist will outline the various verdicts which the jury could return. He will tell jurors they must find Ruby innocent unless prosecutors prove him guilty "beyond a reasonable doubt." On the other hand, he will say, the burden is on defense lawyers to prove Ruby was temporarily insane.

Unusual situations may arise as lawyers play a cat-and-mouse game while choosing the jury which could send Ruby to the electric chair or set him free.

For example, defense lawyers may try to show that a venireman has conscientious scruples against the death penalty and, as a result, is disqualified. They could use this strategy if they opposed the venireman and wanted to disqualify him instead of spending a valuable peremptory challenge.

IF ATTEMPTS to get a jury here fail, Judge Joe B. Brown will transfer the case to another county. Dist. Atty. Henry Wade and his assistants would team with prosecutors there in trying to convict Ruby.

If usual procedures were followed, the judge of the new court would preside.

Veniremen will wait in the central jury room and a district courtroom after they report Monday. The central jury room alone isn't large enough for the record number summoned to the courthouse.

The panel also will provide jurors for other courts.

Unless chosen on a jury in a felony case, veniremen can return home each night.

Judge Brown will request 125 veniremen Monday morning. They will wait in another courtroom and enter his court individually for questioning.

Defense lawyers say some veniremen may spend an entire day on the stand answering questions over a wide range of subjects.

"THE U.S. SUPREME Court says we have a right to ask any question short of disgrace and infamy," defense attorney Joe Tonahill said. "We don't intend to insult any veniremen, but we

do intend to learn ~~their~~ true feelings, regardless of the time it takes."

Wade said one question will stand out over all others:

"Could you, as a juror, lay aside anything you may have seen or heard and decide this case strictly on the evidence you hear from the witness stand and the charge given you by the court?"

If attorneys fail to select a jury from the 125 veniremen, Judge Brown could summon another group from the central jury room.

JURORS WILL HAVE the satisfaction of performing a civic duty.

They will get "room and board" and \$5 for each day they serve.

Jurors will spend their night in quarters in the same building which houses the courtroom—and Ruby's cell. They'll eat together in a cafe near the courthouse.

They'll earn every cent of their pay.

Illnesses May Block 2 Attorneys

Illnesses may block two defense lawyers from participating in the Jack Ruby trial next week.

They are Tom Howard of Dallas and Sam Brody of Los Angeles.

Joe Tonahill of Jasper, a member of the defense staff, quoted Howard as saying he planned to withdraw from the case because of an illness in his family.

Howard was not available for comment after Tonahill made the statement.

The first attorney hired by Ruby after the Lee Harvey Oswald slaying, Howard appeared in Criminal District Court No. 3 with other lawyers to hear a ruling Friday afternoon.

Tonahill said Brody is ill and may be unable to participate in the selection of jurors next week.

Judge Locks Ruby Report In His Desk

Judge Joe B. Brown put a "top secret" tag Friday on a report from three psychiatrists who analyzed neurological tests given Jack Ruby here.

Judge Brown refused to let lawyers introduce the report as evidence in a hearing on a defense request that he move Ruby's murder case to another county.

"It has no place in this hearing," the judge said.

Then Judge Brown locked the report in his desk and instructed attorneys not to discuss its contents with reporters.

"I don't want it discussed until it becomes evidence," the judge said. "I don't want to take any chances of prejudicing potential jurors. If anybody makes it public, they'll answer to the court."

Ruby underwent a "brain wave" test and other tests at a clinic here after a defense psychologist said he believed the slayer suffered from a form of epilepsy marked by violent outbursts.

The Dallas News quoted an informed source at the time as saying the tests convinced two psychiatrists that Ruby was not suffering from this form of epilepsy and had not received significant brain damage of a physical nature.

The chief defense attorney, Melvin Belli, termed this report false and charged that it was put out by a member of Dist. Atty. Henry Wade's staff.

Judge Brown ruled The News was not required to identify its source despite Belli's demand that it do so.

Wade said Friday he has been told the psychiatrists will submit a more detailed report later.

7

125
1964
EXCLUSIVE: Stripper JADA Talks

WHAT I TOLD FBI ABOUT JACK

INSIDE NEWS
Dallas, Texas
Pages 1, 2, 10, and 11.
Vol. 1, No. 17
February 15, 1964

44-24616
79 FEB 17 1964

44-24616-17
NOT RECORDED
179 FEB 17 1964

RUBY

Killer of JFK's

ASSASSIN

W/ Stripped Naked In New

Orleans

WHAT I TOLD THE

F.B.I. ABOUT JACK

RUBY

EXCLUSIVE INTERVIEW:

Jada's Full Story

Told For The First Time!

By JADA CONFORTI as told to Mark Shuler

"I strip naked in New Orleans," said luscious, law-abiding Jada, the flame-haired peeler who once heated up the Dallas G-string emporium operated by Jack Ruby, the man who gunned down Lee Harvey Oswald, President John F. Kennedy's assassin. "When I strip," said Jada, "I strip as far as the law allows."

In an exclusive interview with Inside News in New York, where she was dodging news-hounds, Jada revealed what she'd told the FBI about her former boss, Jack Ruby, a pistol-packing showoff.

"Ruby was a pistol

packing show-off..."

"He'd invite anything in

skirts to go to bed with him..."

Ruby brought
a whole foot-
ball team to
my room while
I was nude in
the bathtub.

As Jada searched for a story for intimate glimpses of Ruby's odd-ball behavior she recalled the time when he came trooping uninvited into her suite at the plush motel, Holiday Inn Central, leading a gang of football players.

"Hey, Jada," Ruby yelled through the door of the bathroom, where she was in the tub, "I've got a bunch of football players out here—come and meet them."

But Jada, being nude and soaking wet, declined the invitation and yelled back ordering Ruby to get the hell out and take the gridiron heroes with him. . . Jada enjoys stripping professionally

for the paying customers, but she draws the line at putting on free shows in private for a gang of muscle-bound athletes.

"Frequently," Jada said, "I saw Jack carrying a revolver—as a matter of routine—sometimes stuck in his waistband, sometimes in his pocket.

"He was strictly a character. He liked to feel he was a big time racket guy." (Editor's note: Chubby, balding, 52-year-old Ruby imitated the sharp dress of boss mobsters, and dropped names of hoodlums like dandruff, but the wheeler-dealers of the underworld didn't even know he was alive.)

Ruby, a bachelor, also bragged about his prowess as a great lover, Jada said, but—"He wasn't very successful. He would invite anyone that wore a skirt to go to bed with him—and that included me.

"But so far as I ever knew, there was only one girl he got to bed with. This was a girl out of a job. He spotted her coming out of an employment agency and asked her if she'd like to be a strip-

per—and hired her, hoping to make time with her. And he did."

Ruby began howling like a wolf and making passes at Jada as soon as she arrived in Dallas from New Orleans, where she was a sensation with her super-sexy strip act, which involved a lot of interesting horizontal torso twisting at floor level on a Bengal tiger rug.

Before she opened at the Carousel in Dallas, Jada said, Ruby kept her phone hot trying to promote a date—which she refused. But nothing, it seemed, would cool him off, so, according to Jada:

"Jack said to me, 'Move in with me. I've got two bedrooms and I'll promise not to take advantage of you.' But, I turned him down. Mr. Ruby was not my type—he was too vulgar. And, I learned, he kept his apartment full of dogs. I've got nothing against dogs—but I particularly didn't take to Jack Ruby, told him I preferred to live alone, and there was no deal."

Jada was asked what she thought of the report that Ruby would probably plead temporary insanity when he goes to trial for Oswald's murder, and this was her reaction:

"Jack Ruby was not only crazy when he shot Oswald—he acted crazy all the time. His emotions were so variable and unpredictable that I was sure he was unbalanced."

When asked why Ruby killed Oswald, Jada said, "In my opinion, he wanted to make himself out a hero to the people of Dallas. He thought it would make him famous and he'd go down in history."

After the assassination of the President, Jada said, she remarked to several friends: "Knowing Jack Ruby, I'll bet he'll get mixed up in this somehow." When news that Ruby had shot Oswald to death reached her over the radio in her Caddy convertible, as she was driving toward New Orleans from Dallas, the accuracy of her prediction, Jada recalls, left her a bit shaken.

Jada, who is 27, five-foot-two, has all the right curves in the right places, started her dancing career when she was 15 in the chorus of New York's Copacabana, and has been stripping for ten years.

Although she attended an ultra-fashionable, conservative school, studied both at

Fordham and Tulane Universities, and finally wound up working as a stripper for, among others, Jack Ruby, Jada says:

"I certainly don't feel I'm doing anything wrong in stripping. I enjoy it. I enjoy teasing the male customers—because I like men. In fact, I like them so well, I've been married four times."

And Jada believes in giving the boys a run for their money, repeating her statement—"When I strip, I strip as far as the law allows—so I strip naked in New Orleans."

Jada didn't tell the FBI, but she did tell *Inside News* that she thinks a stripper makes a better wife—"because she knows what men want, and knows how to tantalize and keep them interested."

And who the hell would care whether a gal like Jada could cook and sew?





Jack Ruby, shortly after he was charged with killing
Lee Harvey Oswald—President Kennedy's assassin.

(Mount Clipping in Space Below)

Ruby's Lawyers Expect Order

to Try for Jury

Judge's Decision On Transfer Near

By CARL FREUND

Defense attorneys predicted Thursday that Judge Joe B. Brown will order them to try to pick an impartial jury for the Jack Ruby murder trial.

Their statements came after Judge Brown said he will announce at 2 p.m. Friday whether he is transferring the case to another county.

Melvin Belli, the San Francisco lawyer who heads the defense staff, told reporters who crowded around him in Criminal District Court No. 2:

"The chances are pretty good the judge won't move it—at least until an attempt has been made to pick an impartial jury here in Dallas. Of course, we still feel you can't get a fair jury here."

'Almost Certain' of No Change

Another defense lawyer, Joe Tonahill, said he is "almost certain" Judge Brown will not transfer the case at this time.

"If he was planning to transfer it, he would have made the announcement immediately," Tonahill reasoned.

Judge Brown said he wanted to read numerous newspaper clip-

Mr. Tolson _____
Mr. Belmont _____
Mr. Mohr _____
Mr. Casper _____
Mr. Callahan _____
Mr. Conrad _____
Mr. Felt _____
Mr. Gale _____
Mr. Rosen _____
Mr. Sullivan _____
Mr. Tavel _____
Mr. Trotter _____
Tele. Room _____
Miss Holmes _____
Miss Gandy _____

(Indicate page, name of newspaper, city and state.)

1 "The Dallas
Morning News"
Dallas, Texas

Date: 2-14-64

Edition:

Author:

Editor: Jack B. Krueger

Title:

Character:

or

Classification:

Submitting Office: Dallas

☐ Being Investigated

NOT RECORDED

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pings, which defense lawyers had introduced as evidence, before announcing his decision.

Asked by The Dallas News if he had conferred with judges in other counties about the case, Judge Brown replied, "I have not."

This increased speculation that the judge was not likely to transfer the case.

Observers noted that, if he were inclined to move it, he would confer with judges in areas under consideration as trial sites.

Witnesses Heard Three Days

Defense lawyers called witnesses to the stand for three days in an attempt to show that Ruby cannot get a fair trial here on a charge of murdering Lee Harvey Oswald on Nov. 24.

While millions watched on television, Ruby fired a bullet into the handcuffed Marxist after he had been arrested as the prime suspect in the assassination of President Kennedy.

Judge Brown has three choices:

—He can agree Ruby could not get a fair trial here and move the case to another county.

—He can reject the defense request.

—He can withhold a final decision pending an attempt by lawyers to get an impartial jury here.

Observers predict Judge Brown will follow the latter course.

View Held by Prosecution

Dist. Atty. Henry Wade and his assistants, A. D. Jim Bowie and William F. Alexander, have suggested it.

Referring to defense claims that lawyers could not get a fair jury here because of prejudice against Ruby and the feeling that Dallas is on trial, Wade commented, "The proof is in the pudding. . . . Let's try."

Ruby is scheduled to go on trial Monday with Wade calling for the death penalty and defense lawyers claiming Oswald was shot down by an insane man.

Tonahill said, however, that the defense may request a pre-trial sanity hearing. They can get it by filing affidavits that Ruby is insane and therefore unable to help prepare his defense.

"We're considering this step, but haven't reached a decision," the Jasper lawyer said.

Might Last Several Weeks

Lawyers would choose a 12-man jury for the hearing, which might last several weeks.

The hearing would resemble a full-fledged trial in many respects.

Testimony ended abruptly Thursday morning after Judge Brown had listened to 42 witnesses during courtroom sessions marked by torrid exchanges between lawyers.

When attorneys returned to court after a night session Wednesday, Judge Brown said he would hear more witnesses only if they could shed new light on issues. The judge said he didn't intend to spend more time listening to witnesses repeat what earlier witnesses had said.

Wade introduced 38 affidavits from Dallas County residents who said Ruby could get a fair trial here.

Then, as the hearing coasted to a halt, attorneys introduced copies of Dallas newspapers printed since the assassination. They also asked Judge Brown to read a series which appeared in a Houston newspaper under Ruby's byline.

Ruby's lawyers said they would appeal if Judge Brown refuses to transfer the case.

Defense Could Ask For Sanity Hearing

Defense lawyers debated Thursday whether they should request a pretrial sanity hearing for Jack Ruby.

Texas laws require a judge to order the hearing if defense lawyers request it.

"We have the matter under consideration, but haven't reached a decision," lawyer Joe Tonahill said.

Ruby's lawyers could get the hearing by filing affidavits that he is insane and therefore unable to help them prepare his defense to a murder charge. It accuses him of killing Lee Harvey Oswald, the Marxist suspected of shooting President Kennedy here.

The hearing could begin Monday in Criminal District Court No. 3 if Judge Joe B. Brown does not transfer the case to another county.

Attorneys would ask a 12-man jury to answer these questions:

—Did Ruby know right from wrong when Oswald was shot Nov. 24?

—Does Ruby know right from wrong at this time?

Lawyers could present testimony about the Kennedy assassination and the Oswald slaying in addition to questioning psychiatrists and other witnesses about Ruby's mental condition. The hearing could last several weeks.

Ruby would go to a mental hospital if jurors ruled he was insane

at the time of the slaying and is still insane.

He would go free if jurors decided he was insane at the time of the slaying, but sane now.

He would stand trial on a murder charge if the jury decided he was sane at the time of the slaying and sane now.

Defense lawyers could renew their insanity plea at this trial. Assistant Dist. Atty. William F. Alexander said, however, that court decisions would allow prosecutors to inform jurors that another jury had found Ruby sane.

Defense lawyers also could renew their plea for a transfer of the case by claiming that testimony during the sanity hearing had further prejudiced Dallas County residents.

Long Quiz Of Jurors Indicated

A defense lawyer predicted Thursday that attorneys will spend at least half a day questioning each prospective juror called to the stand during the Jack Ruby murder trial.

The lawyer, Joe Tonahill, said some potential jurors may be on the stand an entire day.

Tonahill said lawyers have a right to question members of the jury panel about everything from their political philosophies to whether they approve of strip-teasers.

Assistant Dist. Atty. William F. Alexander said selection of the jury could require "considerable time," but added that prosecutors would "move as swiftly as possible."

Tonahill noted prospective jurors would disqualify themselves if they say:

—They would be prejudiced against the manager of a strip-tease club.

—They would not fairly consider a defense request for a suspended sentence if Ruby is convicted.

—They have opinions about Ruby's guilt, or the sentence he should get if convicted, and are unable to cast aside these opinions.

—They would be prejudiced because of Ruby's religion.

Tonahill noted jurors would disqualify themselves also if they have conscientious scruples against the death penalty.

3

NO CROSS-EXAMINATION

Press Conference Of Ruby Protested

Dist. Atty. Henry Wade said 150 witnesses as "a publicity Thursday he has protested to deal."

Judge Joe B. Brown over the Referring to wrangling among lawyers, Wade said it was "a courtroom press conferences of Jack Ruby. disgrace to the bar."

"I think they are highly improper," Wade said. "Ruby can say anything he pleases and it goes out on the radio and television and is printed in the newspapers. Tonahill retorted, 'It darn sure was—I can agree with Henry on that—but one of his own men, Bill Alexander, was responsible. He's the one to blame.'"

Wade and Tonahill did agree they hoped for more decorum during the trial itself. Judge Brown, who warned lawyers about their conduct throughout the hearing, said he would demand decorum if he presides at the trial. Alexander termed Tonahill's comment "too ridiculous to warrant a reply."

Wade noted Ruby talked with reporters and answered their questions at a time when his lawyers were complaining that "publicity" would prejudice potential jurors.

"I was hoping the judge would stop them (the press conferences)," Wade said.

A defense lawyer, Joe Tonahill, said he saw "nothing at all wrong" in Ruby's actions.

"He's still a citizen—he hasn't been convicted of any crime—and he still has the constitutional rights of free speech," Tonahill commented.

Although testimony ended in the hearing to determine whether Ruby should stand trial here, lawyers continued to exchange verbal jabs.

Wade said he believed defense lawyers requested the hearing "more to get publicity for themselves and their client than on the merits of the proposition." He said they subpoenaed more than

★ RUBY SAYS HE LOVES DALLAS

Jack Ruby fought back tears Thursday when reporters asked whether he thought he had "brought shame on Dallas" by shooting Lee Harvey Oswald while millions watched on television.

His face contorted, Ruby appeared on the verge of sobbing.

Then, in a choked voice, he replied, "I love this city."

Former Mayor Earle Cabell and other witnesses testified earlier this week that Ruby brought shame on the city by killing Oswald after Oswald had been accused of assassinating President John Kennedy.

The 52-year-old slayer said he likes Dallas "because there is so much culture here — so much civic-mindedness."

Dallas & Jack

Ruby

Tolson _____
 Belmont _____
 Mohr _____
 Casper _____
 Callahan _____
 Conrad _____
 DeLoach _____
 Evans _____
 Gale _____
 Rosen _____
 Sullivan _____
 Tavel _____
 Trotter _____
 Tele Room _____
 Holmes _____
 Gandy _____

By STAN OPOTOWSKY
 New York Post Correspondent

Dallas, Feb. 13—Henry Menasco Wade, the 49-year-old ex-FBI agent who is District Attorney of Dallas, finds the shoe on the other foot today. And it pinches.

Before the arrest of Lee Oswald for the assassination of President Kennedy, Wade was roundly criticized by attorneys throughout the nation for announcing his evidence and then pronouncing Oswald guilty before a trial could even be scheduled.

But now Wade finds himself up against Melvin Belli, Jack Ruby's defense counsel, and Belli is also pretty handy in his client's behalf in press conferences. Wade is complaining privately that Belli has overstepped the bounds.

Wade is especially indignant about the outside world's conviction that everyone in Dallas carries a gun, and he blames this on Belli.

"None of our good citizens carry a gun," he says. "This idea comes from Belli. He can't explain how Ruby came to the police station with a gun. He is trying to suggest that it is routine for people in Dallas to carry a gun. Well, it isn't."

This is one of the many points Wade must thrash out when he prosecutes Ruby for the murder of Lee Oswald. There is also the issue of insanity, temporary or otherwise, but Wade is inclined to brush that off. "Psychiatrists are rated pretty low here," he says.

★ ★ ★

WADE, A PLEASANT 200-POUNDER WHO CHEWS up three cigars a day but actually lights up only once a month, has had five assistants working on the Ruby case. Belli has promised many surprises. Wade hints he has a few of his own.

The man from Squabble Creek is frankly ambitious for a federal judgeship, and this may be the case that vaults him to it. His beginnings were modest. He was sent by his father to the University of Texas with the grand sum of \$85 in his pocket. He eked out his existence with a football scholarship and waiting on tables, emerging with his law degree and a lifelong friendship with his roommate, John Connally, now Governor of Texas and the other man shot that fateful Nov. 22.

After graduation from law school, Wade joined the FBI. He worked in the New York office and helped crack the sensational wartime spy case involving 33 Germans attempting to steal the secret of the Norden bombsight. The case later was dramatized in a movie, "The House on 92d St." (Wade says the house actually was on 42d St.)

The Washington Post and Times Herald _____
 The Washington Daily News _____
 The Evening Star _____
 New York Herald Tribune _____
 New York Journal-American _____
 New York Mirror _____
 New York Daily News _____
 New York Post _____
 The New York Times _____
 The Worker _____
 The New Leader _____
 The Wall Street Journal _____
 The National Observer _____
 People's World _____
 Date _____

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Wade subsequently was sent to South America. His friends tell of one harrowing escape. Wade was in the embassy of a neutral nation searching through a safe for a piece of intelligence when a guard happened upon him. He leaped from a second-story window and escaped without injury--and without the secret papers he was seeking.

Wade left the FBI for the Navy, and after the war he ran for DA in Dallas. He was defeated the first time, but he made it in 1950 and has held the job continuously ever since.

Wade has shown guts in his job. Shortly after he took office a wealthy man named Thomas Doswell was killed in a hotel parking lot. It was obvious Doswell's wife had shot him, but in Dallas the word always was, "You can't put a million dollars in prison." This time Wade did. Mrs. Doswell was convicted and sentenced to life.

★ ★ ★

WADE WILL TRY THE RUBY CASE BEFORE

Judge Joe B. Brown, a hulking, gray-thatched man of 55 to whom informality is almost a fetish. "I don't believe in austere courts," the judge says. "I want the jury panel to be relaxed--to feel they are among friends. There's nothing mystic about a trial."

At times the informality has gone to extremes in Judge Brown's court. Once a lawyer brought a Negro into court and accused him of threatening his life. As he detailed his complaint, the lawyer, turned and asked rhetorically: "What would you have done in that case, Judge?"

From the bench Brown replied instantly:

"I would have shot him on the spot."

The next day Judge Brown apologized from the bench for the impropriety of his remark.

Joe B. Brown has had only two jobs in his life: judge and office boy. He was an office boy after he graduated from a military academy, and was basking in front of his building one summery day when a friend chanced by on his way to register at the Jefferson Law School, a downtown Dallas diploma mill now extinct. It sounded like a good idea, so Brown went along, too.

When he graduated he ran immediately for Justice of the Peace in suburban Oak Cliff, where he still lives. In 1944 he was elected a county criminal judge.

Brown was the judge in the celebrated Candy Barr case which is still remembered in Dallas as an example of what happens when someone displeases the city's power structure.

Candy, nee Juanita Dale, was a shapely country girl who became a stripteaser in one of the city's numerous dingy little nightclubs. Dallas tolerates these strippers as long as they keep their place, but Candy got out of hand. She became a star. She began making big money. She got into a shooting scrape with her ex-husband. And, worst of all, she was getting arrogant. She actually greeted by name some of Dallas' better citizens when encountering them on downtown streets.

One night, by Candy's account, a friend dropped by her apartment, asked her to hold some marijuana for a few hours and then disappeared just as detectives, armed with a search warrant, arrived. Candy was tried for possession of narcotics before Judge Brown. He still remembers it fondly as one of his favorite cases.

She was convicted and sentenced to 15 years in prison. She served about three years and then was released, on the promise that she'd dance no more in Dallas.

★ ★ ★

JUDGE BROWN IS VERY CONCERNED ABOUT

the Ruby case. He knows this is no Candy Barr sensation, but something much more serious. There won't be so much informality in his court this time.

"I've prayed over this one," he says. "I even took off and went deer hunting for four days to think. Actually, I didn't even shoot at a deer. I didn't want to kill anything. It's just that the woods are a good place to think."

Brown knows that even the most experienced judge would be under a strain in such a case, for the defense attorneys will be seeking every moment to force the judge into an error which might lead an appeals court to reverse a conviction. Judge Brown has had few reversals in his career, and he certainly doesn't want one in this case, no matter which way it goes.

There is no evidence that either Brown or Wade knew Ruby before that terrible weekend. But many officials in the courtroom did. William Alexander, chief assistant DA, had known Ruby for a dozen years.

That's just one more odd element to the bizarre case which will be tried in a tiny lime-oak courtroom no larger than a tennis court. The security precautions also will contribute to the drama.

Not only will all spectators be searched, but three huge deputies will sit behind Ruby, facing not the bench but the press and spectators during the entire trial.

It will be quite a show, even if most of the actors are reluctant to appear on such a brilliantly-lit stage.



DA HENRY WADE



JUDGE JOE BROWN

The court may see some surprises.



Court spectators include (l to r) Earl Ruby, Jack's brother Mrs. M. Linda McKimball, secretary on legal staff; Mrs. Eva Grant, Ruby's sister, and Sam Ruby, brother.

(Mount Clipping in Space Below)

JUDGE TO RULE FRIDAY Testimony in Ruby Hearing Ends Belli Lays Odds On Futile Effort Of Trial Locally

By BOB FENLEY and JERRY RICHMOND, Staff Writers

The Jack Ruby change-of-venue hearing ended with dramatic suddenness at 9:40 a.m. Thursday with Judge Joe B. Brown saying he would rule at 2 p.m. Friday.

There is "a pretty good chance we'll start picking a jury here next week," commented chief defense counsel Melvin Belli. "And by next Friday--this case will be transferred because I do not believe we can get a jury here."

The defense contended throughout the hearing that widespread publicity given the slaying of accused assassin Lee Harvey Oswald by Ruby will make it impossible for Ruby to get a fair trial in Dallas.

Mr. Tolson _____
Mr. Belmont _____
Mr. Mohr _____
Mr. Casper _____
Mr. Callahan _____
Mr. Conrad _____
Mr. Felt _____
Mr. Gale _____
Mr. Rosen _____
Mr. Sullivan _____
Mr. Tavel _____
Mr. Trotter _____
Tele. Room _____
Mr. Holloman _____
Miss Gandy _____

(Indicate page, name of newspaper, city and state.)

1 "The Dallas
Times-Herald"
Dallas, Texas

Date:

2-13-64

Edition:

Author:

Editor:

Felix R. McKnight

Title:

Character:

or

Classification:

Submitting Office:

Dallas

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The end of the hectic hearing came when Judge Brown said he didn't want to hear any more "cumulative" testimony — that which repeated what 41 witnesses have said.

Asked if the defense will file a motion for an insanity hearing, Mr. Belli replied, "That's one of those things we feel is available to us with federal action. Of course, we can't say where we are going until his honor rules."

The reason for Judge Brown's delay in ruling is presumably to give him time to read the hundreds of newspaper stories introduced in the case.

900 JURORS READY

Although the ruling is set for 2 p.m. Friday, 900 prospective jurors have been summoned for Dallas County's district courts Monday.

Dist. Atty. Henry Wade declared Thursday at the hearing's end that the prosecution is "ready now and I have repeatedly said we will qualify jurors for the death penalty."

The defense had sent the 41 witnesses to the stand in three days and a night of sessions, and most of them had testified they didn't think Ruby could get a fair trial in Dallas.

His voice quavering, as it has done each morning in pre-hearing interviews, Ruby Thursday scored those who are against President Lyndon B. Johnson — "What chance does he have when people are fighting from within"—and decried newspaper stories which have billed him (Ruby) as appearing nervous.

"I'm not scared about anything," he said.

100 MORE WITNESSES

Soon after the morning session began Thursday, defense lawyer Joe Tonahill said the defense had "a hundred more witnesses" who would testify that Ruby could not get a fair trial in Dallas, but he admitted to the judge that their

testimony would be "cumulative" or "repetitious."

"I do not want to hear them," replied Judge Brown.

"We could close now, subject to our right to offer other testimony," said Mr. Tonahill. The defense had hastily subpoenaed Times Herald City Editor Kenneth Smart and rewrite man Stanley I. Weinberg Thursday morning but had decided not to use them as witnesses.

Prosecutor William Alexander introduced 38 affidavits to the effect that Ruby could receive a fair trial in Dallas. The state had filed two others with its answer to the motion for change of venue.

The state then introduced a series of articles entitled "My Story" by Jack Ruby as published in the Houston Chronicle.

EVERY STORY

"Let me get this clear," said Judge Brown. "Every story pertaining to the Ruby case in the local papers is introduced?"

"Yes," replied Mr. Belli, "with the understanding they be read."

Dist. Atty. Wade rested the state's case at 9:37 and three minutes later Judge Brown announced: "We'll recess until 2 p.m. tomorrow at which time I'll give my decision on the change of venue."

Immediately the mass of reporters in the tiny courtroom dashed either for telephones or for the lawyers.

Surrounded by a crush of newsmen, Mr. Belli remarked: "I think in fairness we ought to be away from this metropolitan area."

Asked if the defense wanted the trial held in a large or a small town, he replied:

"I think you're going to have to get a larger town with a fairly good-sized courthouse. Working here is awful." But he said the defense would "go to work" to prepare for Monday's murder trial setting.

BROUGHT FROM CELL

Ruby, surrounded by his usual security escort of lawmen, was brought into the courtroom at 7:55 a.m. Thursday and placed in the jury room to await the beginning of Thursday's session. Only a handful of spectators, including some newsmen, were on hand to see the nightclub operator brought down from his jail cell.

A firing night session was held from 7 to 9:30 p.m. Wednesday in an effort to wind up the change of venue hearing.

The defense lawyers rounded up fellow members of the legal profession — lawyers and students — and friends of Ruby, to build a voluminous record of statements that the atmosphere of Dallas County is such that their client would not get a fair trial here.

Insults, quips and sardonic comments flew as Mr. Belli sought to establish that Dallas itself feels on trial and that there is a conspiracy to prevent a fair legal shake for Ruby.

The 52-year-old Ruby, who seemed to get a bit more nervous Wednesday night, flicking his lapels and turning in his seat, walked quickly out of the courtroom inside his barrier of big deputies and, when a crowd of photographers shouted, as they always do, "Hey, Jack," the defendant turned and said:

"Yeah Yeah. My name's Jack."

IMPROMPTU WITNESS

At 9 p.m., the defense sent James Buchanan II to the stand and the Southern Methodist University law student said he didn't believe Ruby could get a fair trial in Dallas.

The witness, who said President James Buchanan was his great-great uncle, said he hadn't come to the courthouse with the intention of testifying but was approached in the hall by the defense. Mr. Buchanan conceded on cross-examination by prosecutor Bowie that out of the total population of Dallas, 12 persons probably could be found who would be fair.

Much of the night session was taken up with testimony by Dallas Morning News reporter Carl Freund.

Attorney Belli sought to determine "who was the informed source" quoted in one of Mr. Freund's stories. The prosecution objected.

"Where a reporter received his information, how he wrote the article, and what led to its being written is not material," Mr. Bowie objected.

The court sustained his objection, and all further objections to questions about Mr. Freund's news sources.

COMBINATION ALLEGED

Attorney Joe Tonahill argued in vain, "We allege a combination of influential people is trying to deprive our client of a fair trial, and if the press has published false stories then we have a right to know where they came from."

A Jan. 30 story headed "Rube Tests Reveal No Brain Damage" was the object of the defense's effort to uncover an "informed source."

Mr. Freund finally replied, "I got it from a source I have always found to be dependable and reliable. I don't know if the story was true, but I believe it was."

Mr. Belli tersely replied, "I'll prove it was not true in the morning or tomorrow."

CALLS STORY LIE

He charged the story was a "deliberate lie" published for the purpose of depriving Ruby of a fair trial, and Mr. Bowie again objected. Mr. Belli said he understood the court's ground rules for the hearing were that counsel could complete questions before an objection was made.

"I know of no ground rules set which will enable anyone to call his own witness a liar," Mr. Bowie objected.

Mr. Freund testified that on the day he wrote the disputed article Mr. Wade had declined to comment on it when asked about its contents.

"Mr. Wade said to me he did not want to comment on any evidence in the case which might endanger Ruby getting a fair trial," the reporter said.

"So you as an ethical newspaperman hotfooted it over and published it so you would endanger Ruby getting a fair trial," the defense lawyer snapped.

A stream of objections from the prosecution closed the heated issue.

Mr. Freund later testified that in his opinion 12 jurors could be found to try Ruby on the evidence and not from newspapers or television accounts of the case.

He said to Mr. Belli, "You told me yourself only two months ago that you thought Ruby could get a fair trial in Dallas."

PRESS AGENT CHALLENGED

Asked whether any directions for covering stories had been given by Sam Bloom, who heads the public relations agency handling press arrangements for the trial, the reporter replied, "I talked to Mr. Bloom one time the day before the assassination, and I saw him for the first time in my life today."

ASSUMED GUILT

The hearing was recessed for dinner shortly before 5 p.m. Wednesday and resumed at 7 p.m. with attorney Howard Law taking the stand. The Dallas lawyer said a majority of the people he had talked to assumed "Ruby was guilty of murder."

He said he had asked nearly 50 people questions normally directed to prospective jurors and found none of them would be qualified in this case.

The first of two law students from Southern Methodist University to testify during the night session was Searcy Ferguson, a 21-year-old senior.

He doubted that Ruby could be tried in Dallas because of widespread publicity, and suggested that small county-seat towns such as Rusk and Athens would be more suited for the trial.

Under cross-examination by Mr. Wade the student admitted he had been "sent to testify" by a law teacher at the school.

"Mr. Vandercreek sent me down here," he said.

SANDERS TESTIFIES

United States Atty. Barefoot Sanders led off the list of afternoon witnesses with testimony that he thought there would be less difficulty in getting a jury away from Dallas.

"Is it possible he could get a fair trial here?" asked Mr. Belli. The witness answered he believed so, but he repeated it would be less difficult to find a jury away from this area.

Attorney Harold Berman believed that Ruby could not obtain a fair trial in Dallas.

Jack Beers, a photographer for The Dallas Morning News who took one of the two dramatic pictures of the slaying of Lee Harvey Oswald in the City Hall basement, was called to the stand and he said he felt it would be "pretty hard" to get a jury here. "It would give you gentlemen a good workout to try and get one here."

Attorney Stanley Kaufman, who has done some civil legal work for Ruby, said he felt there is "a subconscious feeling that we're on trial" among citizens of Dallas.

He said he had "a reasonable doubt" that Ruby could get a fair trial in Dallas although the city has previously had a reputation for providing "very fine jurors."

ARRANGEMENTS CRITICIZED

The witness had a word to say about the press:

"I frankly feel its wrong to allocate seats (in the courtroom) to the press . . . I don't think spectators should be second class citizens and the press first class."

The witness referred to the seating arrangement in the change of venue hearing in which the first three bench rows are allocated to the press and the back two to spectators.

"It's difficult to walk through this courthouse without getting a feeling . . . It's not an ideal setup to try a case of this type."

The witness recalled seeing President Kennedy minutes before he was assassinated.

Another lawyer, 45-year-old Randolph Scott, believed a great number of people in Dallas are prejudiced in the case. "More than 50 per cent (of those he had talked to) have expressed the idea that the death penalty would be applicable.

"In my opinion, he could not obtain a fair trial."

FIXED OPINION

"I don't know where you can find 12 jurors who would be able to wipe out a fixed opinion," agreed attorney T. K. Irwin when he testified.

Wally Weston, a comedian at the Big D Copa Club, formerly Ruby's Carousel Club, said, "I don't think it's possible," when asked whether he thought Ruby could obtain a fair trial here.

On cross-examination by Mr. Alexander, the entertainer said he had visited Ruby in his cell. He agreed with defense attorney Tom Howard's description of Ruby as kind-hearted and honorable.

An East Dallas banker, W. M. Beavers, testified, "I don't think he (Ruby) can get a fair and impartial trial in Dallas. You can't see a man shot down with his hands tied without forming an opinion, and I saw it on television."

Under cross examination by Mr. Alexander the Merchant's State Bank official confirmed that his bank had a safety deposit box of Ruby opened by the state on a court order.

An assistant cashier from the same bank, Jack Ethridge, said, that although he believed Dallas people were interested in Ruby getting a fair trial, the accused murderer "cannot get a fair trial in my opinion."

NO BRAINWASHING

News director Bob Walker of WFAA-TV objected when Mr. Tonahill asked him as a witness if Dallas people had not been "brainwashed" by the expansive coverage of the Ruby trial.

"I don't like that word. As a member of the press I would say the public has been informed—very well so," he said.

Mr. Walker said he felt the assassination of the President and events following had left a deep impression on many phases of Dallas community life.

"A newspaper series titled '400 Days of Love' is an example of how these events have affected the religious phase of life here," he said.

Mr. Walker replied under cross examination by Mr. Wade that he thought a fair and impartial jury could be selected from the 425,000 eligible jurors in the county, but it will be difficult to get a fair trial for him (Ruby) anywhere."

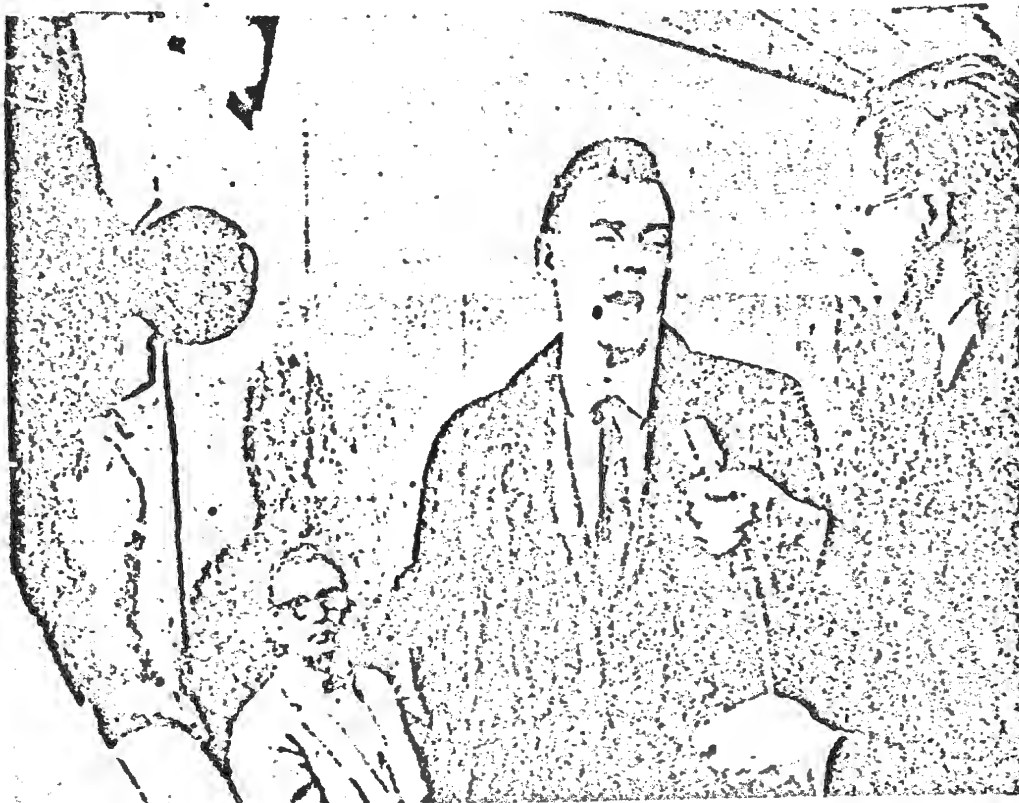
Another attorney, Robert O'Donald, testified in the afternoon session that Ruby could not get a fair trial in Dallas because the case was "the topic of every conversation in every group of people in Dallas . . . rich or poor."

A woman corporation lawyer, Mrs. Laurel Bates, testified she did not think a fair trial for Ruby would be possible in Dallas, "because it happened right here." She said Dallas people would carry "shock and guilt with them for years."

Attorney T. K. Irwin Jr. also testified he did not think a fair trial was obtainable in Dallas.

"The impact of the shootings was much greater in Dallas than elsewhere," Mr. Irwin said. "Anytime I try a case I hope we don't get publicity, because I think it's always had for the defendant."

The last witness Wednesday night was a representative of the Southwestern Bell Telephone Co., A. C. Lewis, who said press telephone arrangements in the courthouse had been arranged through the Bloom agency.



—Staff Photo

U.S. Atty. Barefoot Sanders discusses testimony with newsmen.

TRIAL SIDELIGHTS

For Ruby Defense: A Late Steam Bath but No Picnic

By JIM LEHRER
Staff Writer

Melvin Belli and his defense team take a daily steam bath at the Dallas Athletic Club. Wednesday they took it between 5 p.m. and 7 p.m. — during the break for dinner before a night session in the Jack Ruby change of venue hearing.

The San Francisco lawyer was asked what was so great about steam baths.

"It's a dieting campaign of mine," he said.

☆☆☆
TWO OF Dist. Atty. Henry Wade's five children accompanied their mother to the courtroom for Wednesday's night session.

Kim, 11, and Hank, 8, took seats in the jury box and seemed to get a big kick out of watching their dad at work—

☆☆☆
DEFENSE ATTORNEY Joe Tenahill's glasses have become a source of some comment among newsmen.

They are half-lens bifocals,

and the Jasper attorney wears them right down on the tip of his nose. To understand this fully, one must realize that Mr. Tenahill is easily 6 feet 4 inches tall and weighs well over 200 pounds.

Even when he's sitting down, he gives you the impression he's looking down at you.

☆☆☆

THE BIG NAME newsmen began to arrive Wednesday night to cover the Jack Ruby trial.

Bill Conner—otherwise known to his London Daily Mirror readers as columnist "Cassandra"—and United Press International feature writer H. D. Quigg both showed up for the night session.

Mr. Quigg took a seat in the press section and one observer noted he furiously wrote notes for 20 minutes, his eyes combing the small courtroom for every possible detail.

DEFENSE LAWYERS were deterred from their daily out-

door picnic sessions Wednesday by the rain. Followed by cameramen and reporters, they ate lunch at Joe Banks Cafe, a half block away on Main Street.

Monday, the lawyers ate sandwiches, hard boiled eggs and milk from the top of a parked car in front of the courthouse. Tuesday they chose G. B. Dealey Plaza, the small park across Houston Street.

☆☆☆

A small blue green plastic water pistol became the first "contraband" seized since the hearing began. Deputy Sheriff Rosemary Allen took it from a woman spectator's purse Wednesday during the routine procedure of searching everyone who enters the courtroom.

The woman, as surprised as Mrs. Allen that the "weapon" was in her possession, remembered that she had taken it from one of her three children at church Sunday.

Mrs. Allen reported that it contained no water.



JACK RUBY
Grim After Night's Session

Ruby Ired By Story On Nerves

Jack Ruby complained Thursday of a Times Herald story which depicted him as being nervous during his change of venue hearing.

"Some reporter wrote that I was nervous," he said shortly before Thursday's hearing began. "No, on the contrary. Who else wouldn't be nervous? Isn't that true?"

"If I turn around and look, I'm not scared about anything. My feeling is only that I'm hoping and praying to God I get a fair verdict.

"Why would a reporter try to read my thoughts? I refuse to pick up another paper for a long time. Why don't the press print the true facts?"

Ruby identified the story as one which appeared in The Times Herald.

Ruby expressed thanks to "a great man like Stanley Marcus who has so much to lose and the attorney who is trying to fight the political regime."

Mr. Marcus had testified earlier that he did not think Ruby could get a fair trial in Dallas.

Asked if he thought he had brought shame and discredit to Dallas, he replied: "Now that the thing has happened, I did not know what would react in people's mind."

"Maybe that's part of it," he said, his voice breaking.

To a question about a fair verdict, Ruby said, "I don't know what a fair verdict is."

Belli Says Case Made For Move

Melvin Belli believes there is no question that the defense laid out a case for moving the Jack Ruby trial out of Dallas.

"No question about it," said the San Francisco lawyer following the recess of the change of venue hearing Thursday. "Absolutely and thoroughly. We have followed the full legal prototype for cases of this type." He said, however, that if Judge Joe B. Brown should overrule the defense motion to move the trial, the defense will be ready Monday morning.

"If I were laying odds I'd say there is a pretty good chance we'll be picking a jury here next week," he said in an impromptu press conference. "We will not ask for a continuance."

But I believe that by the end of the week the case will be transferred because I do not believe it possible to get a jury here," he added quickly.

DO NOT BELIEVE?

Thrown an onslaught of "if" questions by newsmen, the attorney said that if by some chance a jury in Dallas were empaneled, "I would have no hesitancy in telling them that I do not believe a fair and impartial jury can be found here."

He said Judge Brown told him that Friday's decision — due at 2 p.m. — would either be an outright granting or denial of the change of venue motion or a decision to delay the ruling.

"If the decision is held in abeyance we could then enter the testimony of prospective witnesses into the record of this hearing," he said.

15-DAY TRIAL

Speculating on the trial itself — no matter where it is held — Mr. Belli said he thought it would take approximately 15 days.

"Three days for the state's evidence, seven to 10 days for the defense, and another five days for rebuttal," he said.

The defense lawyer emphasized that this included only the actual testimony itself — not selecting the jury.

Mr. Belli said he regretted the sometimes heated exchanges between attorneys during the hearing.

"I go home at night and feel worse for doing a lot of things," he said, noting that he was speaking only "on my part."

"I would like to say that I believe that most of these heated exchanges you speak of are of a spontaneous nature and are not done for effect," he added.

Mr. Belli said the attorneys could be expected to be "more restrained" in front of a jury when the case goes to trial.

Wade Set For Trial In Dallas

The state is prepared to go to trial against Jack Ruby Monday, and qualify jurors for the death penalty if Judge Joe B. Brown rules his trial can be held in Dallas.

Dist. Atty. Henry Wade said the prosecution is ready now.

"I have repeatedly said we will qualify jurors for the death penalty," he added.

Newsmen surrounded the chief prosecutor minutes after Judge Brown recessed the change of venue hearing and announced he would announce his verdict Friday.

Expressing satisfaction with the hearing, Mr. Wade said, "It is my idea they (the defense) did not make a proper case for a change of venue."

He noted the final decision would be the judge's but quickly added, "They did not show sufficient evidence" that Ruby could not get a fair trial in Dallas.

NO LEGAL AVENUE

In answer to questions about defense hints of federal court action if the venue change is denied, Mr. Wade said he knew of no legal avenues open for appeal at this stage.

He predicted a jury could be empaneled within two weeks if the trial remains in Dallas. Mr. Wade pointed out that only 250 extra veniremen have been summoned for Monday, bringing the normal 650 total to 900. Mr. Wade cited the figures to dispute defense contentions that the whole 900 had been called for the Ruby trial.

Mr. Wade said 200 additional veniremen had been called in the highly publicized Ben Jack Cage case and it took only three days to get a jury.

UP TO JUDGE

The district attorney said the judge would make the decision when to cut off questioning prospective jurors if it appeared a panel could not be selected.

"The judge can transfer the case to another county on his own motion if an attempt fails to select a jury," Mr. Wade said.

Mr. Wade said the state's case could be concluded within two days.

"But the trial could last 10 days to two weeks," he added.

Mr. Wade said he thought the defense had subpoenaed the unusually large number of witnesses for the change of venue hearing and then not used many of them in an effort to "embarrass and inconvenience a lot of Dallas citizens."

The district attorney said he would probably remain "primarily responsible" for the prosecution even if the case is moved from Dallas.

About the often-heated exchanges between attorneys in the case, Mr. Wade said he hoped more decorum would be observed before a jury.

"I hope we conduct the case here in an atmosphere in which all attorneys attempt to arrive at the truth and let the jury arrive at a proper verdict," he said. "I think this wrangling is a discredit to the bar. Of course, there was no jury present in this hearing."

Date 2/13/61

To

☐ Director

Att. Quinn Reynolds

☐ SAC

☐ ASAC

☐ Supv.

☐ Agent

☐ SE

☐ CC

☐ Steno

☐ Clerk

FILE # 44-24021

Title Chief

☐ Mr. Tolson
☐ Mr. DeLoach
☐ Mr. Casper
☐ Mr. Callahan
☐ Mr. Conrad
☐ Mr. Felt
☐ Mr. Gale
☐ Mr. Rosen
☐ Mr. Sullivan
☐ Mr. Tavel
☐ Mr. Trotter
☐ Tele. Room
☐ Miss Holmes
☐ Miss Gandy

ACTION DESIRED

- ☐ Acknowledge
- ☐ Assign.....Reassign.....
- ☐ Bring file
- ☐ Call me
- ☐ Correct
- ☐ Deadline.....
- ☐ Deadline passed
- ☐ Delinquent
- ☐ Discontinue
- ☐ Expedite
- ☐ File
- ☐ For information
- ☐ Initial & return
- ☐ Leads need attention
- ☐ Return with explanation or notation as to action taken.

- ☐ Open Case
- ☐ Prepare lead cards
- ☐ Prepare tickler
- ☐ Recharge serials
- ☐ Return assignment card
- ☐ Return file
- ☐ Return serials
- ☐ Search and return
- ☐ See me
- ☐ Send Serials.....
- to
- ☐ Submit new charge-out
- ☐ Submit report by
- ☐ Type

100-1364

SAC J. GORDON SHAWLLEN

Dallas

Office

See reverse side

Clipping Session Success at Last?

The problem of the newspapers was due for solution Thursday morning at the Jack Ruby change of venue hearing.

The papers involved are huge stacks of The Dallas Times Herald and the Dallas Morning News that were brought to court by the paper's circulation managers on defense subpoenas.

Defense attorneys want all the news stories that have appeared in the two local papers since the assassination of President Kennedy entered as evidence.

The state has agreed to let them in. Judge Joe B. Brown has said he will admit them.

But, the problem is to get the stories clipped and in such form that they can be admitted without burdening the record with the classified ads, the comics and everything else in the paper.

CUT-OUT SESSION:

A solution was first proposed at the conclusion of Tuesday's sessions. Members of the district attorney's staff would meet with representatives of the defense—scissors in hand—for a cutting-out session.

They would meet that night in the courtroom. But no firm agreement could be reached so it was delayed until 8 a.m. Wednesday.

Something happened again. A token effort was finally begun—newspaper circulation men—shortly before 9 a.m., but little was accomplished.

Early in the night session defense attorney Melvin Belli began the process of entering news stories, page by page, into the record.

JUDGE PUZZLED

"I thought the defense and the state were going to meet and have these stories all clipped out this morning," said Judge Brown.

Dist. Atty. Henry Wade was on his feet.

"Our men were here at 8 a.m., your honor—but the defense was not," he said.

Mr. Belli, his eyes still on the papers before him on the counsel table, said, "I apologize, your honor. I got distracted this morning."

Then after some further testimony, Mr. Belli continued to offer newspaper stories in evidence.

Judge Brown finally called a halt to it shortly before 9:25 p.m.

"I want representatives of both sides here at eight o'clock in the morning to get these papers ready to admit into evidence," he said, adjourning the hearing.

Both Mr. Belli and Mr. Wade promised faithfully that this time it would be done.

And, at 8 a.m., Thursday—three days after the papers were brought to the courthouse by the newspaper circulation men—the clipping work finally got under way.

SPACE

Foreign Papers Protest

Four London newspapers and another from France have telegraphed a joint protest to Judge Joe B. Brown over press space allotments for the coming trial of Jack Ruby.

The telegram expressed "grave concern" at the "unfairly small allotment of seats" and said that if they are not more fully accommodated it would amount to an "intolerable deprivation."

The English papers — the Mirror, Press, Evening News and Daily Mail—claim a joint circulation of over 12 million. The French publication, France Soir, has a 1 million circulation.

Under the ground rules set down for the trial, the international press will have to share six seats on a pro rata basis.

(Mount Clipping in Space Below)

Tempers Flare as In-Fighting Begins

At Ruby's Change-of- Venue Hearing

Witnesses Divided About Fair Trial

By HUGH AYNESWORTH

Tempers flared Wednesday as the real "in-fighting" began between prosecution and defense counsel in the Jack Ruby change-of-venue hearing—being held in the same courtroom in which Ruby is scheduled to be tried starting Monday for the slaying of accused presidential assassin Lee Harvey Oswald.

Nineteen witnesses were called to the stand in the marathon hearing, which finally adjourned at 9:22 p.m.

Chief defense counsel Melvin Belli predicted the arguments would end by 1 p.m. Thursday.

Assistant Dist. Atty. Bill Alexander said the state planned to file 37 affidavits Thursday "from a cross section of Dallas citizens" who claim Ruby can get a fair trial in Dallas.

Eleven of the defense-called witnesses Wednesday declared they

Indicate page, name of newspaper, city and state.)

1 "The Dallas
Morning News"
Dallas, Texas

Date: 2-13-64
Edition:
Author:
Editor: Jack B. Krueger
Title:

Character:
or

Classification:

Submitting Office: Dallas

☐ Being Investigated

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NOT RECORDED
128 FEB 19 1964

27 FEB 20 1964

thick, unbiased, impartial 12-man jury could be found in Dallas County. Six disagreed. Two were noncommittal.

The defense sought to prove that Ruby's life was in jeopardy because of "a conspiracy" in Dallas to deprive him of a fair trial, because of a highly unusual emotional situation in the city and because the news media covered the case so much more thoroughly here. They contended that even though jurors might be found who say they are unbiased, they may not really be truthful.

State Says Fair Trial Possible

The state contended that news coverage was wide-spread, that Dallas would go out of its way — if there is such worry about its "image" — to try Ruby fairly and that charges of such "conspiracy" in Dallas were nothing more than "fishing expeditions."

A main witness Wednesday night was Dallas News reporter Carl Freund, who said he felt that Ruby would get a fair trial if tried here.

Belli accused Freund of writing several "inflammatory" and "false" stories and called one "a deliberate lie."

He demanded that Freund divulge the source of his front-page story in The News that claimed the results of Ruby's recent encephalograph (brain wave) tests indicated the 52-year-old defendant had suffered no brain damage.

Freund would not identify the source.

When Belli accused the reporter of writing the story as part of a plot to deprive Ruby of a fair trial, Freund said his source—he felt—was reliable.

"That story is false, isn't it?" asked Belli.

"If you have evidence it is false, I will be glad to write a story in the morning," Freund shot back.

Ruby Glares at Reporter

Ruby, usually unemotional though attentive, glared at Freund throughout his testimony.

First—and longest—on the stand was Sam R. Bloom, the man who volunteered his services to help Judge Joe Brown handle the overflow of press people that wanted to cover the Ruby trial.

Belli tried to get Bloom to say he was hired to help create a favorable "image" for the City of Dallas in his capacity "as PR man for the court here."

Belli, hindered by many objections as he sought to affix Bloom with what he termed "a conspiracy . . . no matter how sophisticated or subtle," almost turned the morning session into "The Case of the Four Manila Envelopes," instead of the Ruby venue hearing.

Bloom, as directed by court order, brought with him four envelopes of materials having to do with press liaison since he became the "buffer" between the court and the press.

Belli sought to have all Bloom's papers admitted. The state objected and Judge Brown concurred at first, but after a short recess the state withdrew its objection and Brown ruled the envelopes could be made part of the huge record.

"Bell obviously felt there was more in Bloom's little pocket than there was, for he immediately complained to the judge that there was nothing "pertinent to the relationship between the court and its public relations man."

Bloom had said at least three times before that there had been no memos, letters or records pertaining to an exchange between Brown and the agency. He explained he did almost all his business "on the telephone . . . due to the fluidness of this case."

Belli queried Bloom on stories in newspapers about his role in the Ruby trial without gaining much headway.

Asked if Ruby could get a fairer trial in any other city—"Fort Worth for example"—than in Dallas, Bloom replied:

'I Believe a Jury Can Be Found'

"I believe, Mr. Belli, the people of Dallas are decent and honorable and will struggle for justice, and I believe a jury can be found in Dallas whereby Mr. Ruby can find this justice."

Asked if he felt that Dallas is on trial, Bloom said, "As a city and its people . . . no sir!"

The defense then called John McKee, president of the Dallas Crime Commission, who had signed an affidavit claiming he believed Ruby could get a fair trial in Dallas.

"We thought," McKee told the court, "that Ruby could get just as fair a trial in Dallas as in any other Texas city." He said that "we" meant consensus of the DCC's board of directors.

Barefoot Sanders, U.S. attorney for Texas' Northern District, said he thought it would be possible to pick a fair and impartial jury in Dallas, but conceded that "it would be less difficult elsewhere."

Wade asked him, "You mean an impartial jury would be hard to get here, but entirely possible?"

"Yes, that's it," Sanders said.

W. M. Beavers, president of the Merchants State Bank where Ruby dealt, said, "I don't think he can. It would be a hard matter anywhere in Texas to get that kind of a jury, harder in Dallas."

'Most Have Fixed Opinions'

The public relations director of that bank, Jack Etheridge, said, "Most people here have fixed opinions and I think it would hurt Ruby's chances."

Jack Beers, Dallas News photographer who took the prize-winning photograph of the killer and Oswald seconds before Ruby fired the shot, said, "It would be pretty hard to get a jury because most people have one opinion or another" about the case.

"People in Dallas," he said, "are better informed than most."

Asked if he had completely ruled out the possibility of getting a fair jury here, Beers said, "It'd probably give you gentlemen a good workout to get one here."

Bob Walker, news director of WFAA-TV, television service of The Dallas News, said he felt "it would be difficult" to find 12 impartial people, but added it would be just as difficult to pick a jury for the Ruby case "anywhere in Texas."



—Dallas News Staff Photo

TESTIMONY REVIEWED BY BLOOM

Sam Bloom, right, Dallas public relations and advertising executive, ~~reviews~~ his testimony in Jack Ruby

change of venue hearing Wednesday for Murphy Martin, radio-television newscaster. Bloom testified two hours.

★ BROWN PLANS QUICK RULING

Judge Joe B. Brown said Wednesday night that he would make a ruling immediately when the Jack Ruby change-of-venue hearing comes to an end, expected Thursday.

Brown said he could make one of three rulings:

1. Deny the motion to move Ruby's murder trial for the slaying of Lee Harvey Oswald outside Dallas County.

2. Grant the motion asked by attorneys for Ruby.

3. Hold an order in abeyance until the trial is in progress long enough to see if an unbiased jury can be selected in Dallas.

Ruby's Sister Speaks Mind Loud, Clear

Mrs. Eva Grant, sister of Jack Ruby, made her feelings on the change-of-venue situation well known Wednesday night.

Ruby, charged with killing the accused assassin of President Kennedy, is slated to go on trial Monday unless a change in venue is granted.

Defense attorneys were questioning a witness in Judge Joe B. Brown's Criminal District Court with "Can Jack Ruby get a fair trial in Dallas?"

A loud "no" echoed through the courtroom.

Mrs. Grant's brother, Sam, sitting directly behind her, admonished her for the outburst.

WATER PISTOL DAMPENS ENTHUSIASM FOR HEARING

Sheriff's deputies found a pistol in the handbag of a woman spectator at the Jack Ruby hearing Wednesday—a water pistol.

It wasn't loaded.

Deputy Rosemary Allen found the toy while frisking spectators entering Judge Joe B. Brown's Criminal District Court No. 3.

She fished it from the handbag of a young, brown-haired and extremely embarrassed woman.

"Oh, my gosh," said the woman. "What in the world?" she asked as Mrs. Allen stood holding the turquoise-colored, plastic water pistol.

Then the brown-haired woman remembered. At church last Sunday, her little boy had been playing with a water pistol instead of listening to the preacher. The mother had taken it from him and put it in her bag.

Deputies allowed the woman to enter the courtroom to watch proceedings. But she didn't return after the next recess.

PRESS CONFERENCE

French Letter Sets Off Ruby Speech on Hatred

Jack Ruby, the man who killed Lee Oswald, made a speech against hatred Wednesday.

It was touched off when a French reporter translated for Ruby a letter the prisoner had received from a family in France.

Phillip Berard of the French Broadcasting System read the letter to Ruby during the press conference the accused man has come to hold each morning.

Reporters covering the change-of-venue hearing for Ruby crowded close and saw tears well up in Ruby's eyes as Berard read: "Father in heaven, forgive us as we forgive others . . ."

When Berard finished, Ruby said, "I would have answered that months ago, but I didn't know French. These are wonderful, God-fearing people."

He turned to Berard and said, "Send them my blessing. Tell them my heart feels the same."

"I think after being incarcerated as long as I have, I know that most people don't know how small is the minority of people in the world who create hatred."

Ruby has been talking about religion and telling of the inspira-

tion he has found in the Bible during several meetings with reporters.

Wednesday morning he complained about hate groups. He said, "I received many pamphlets and letters from these people until they found out I'm Jewish."

"They are the cancer on our free society. So many of our great people have been hurt by them."

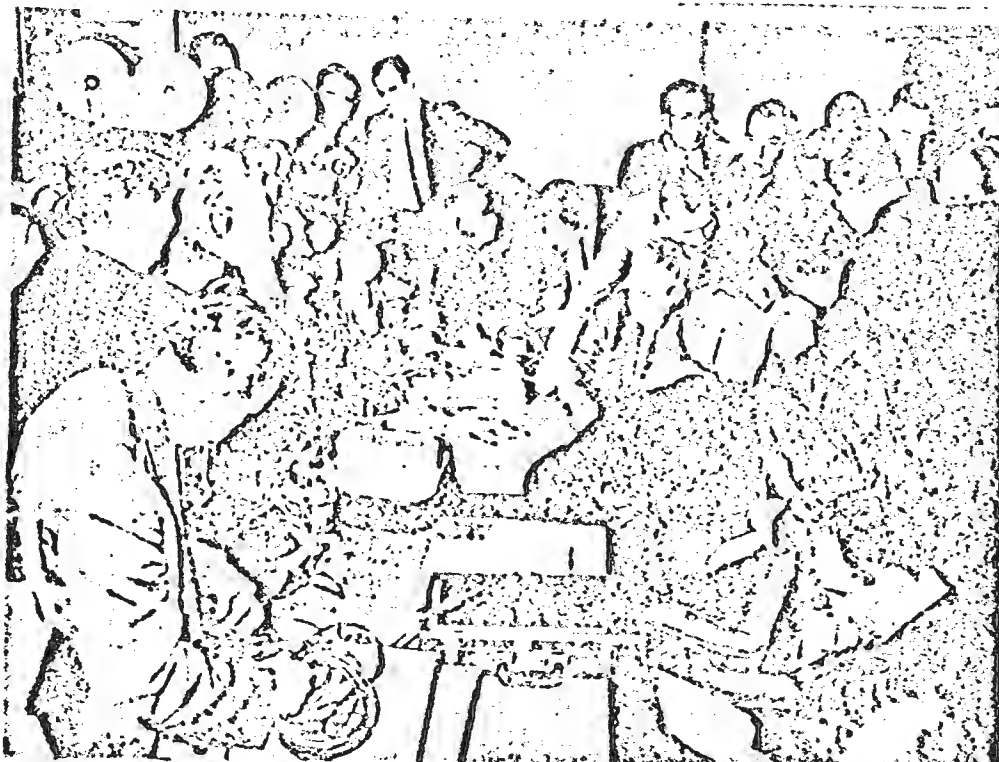
Ruby praised the integrity of the witnesses who testified in favor of the defense position.

"These people have courage. I love them all, and may God bless them," said the man who broke through police lines to gun down accused assassin Oswald in the Dallas police station.

Deputies at first said there would be no questioning of Ruby—only picture taking — Wednesday morning. But Ruby, as usual, wanted to talk.

Ruby sits in the courtroom with no great show of emotion as the parade of witnesses answers questions of attorneys.

While he was being escorted from court to his jail cell, he answered quick questions of reporters with: "Great. Just great."



—Dallas News Staff Photo.

CATCH-AS-CATCH CAN

News media representatives frantically jockey for positions to obtain statements and photos of Jack Ruby

before court goes into session. Cameras and recording equipment are barred during testimony.

Student Changes Mind Partially

replied.

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courtroom. Judge
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WITNESSES JOIN IN, TOO

Hearing Attorneys Tangle In Hot, Humid Courtroom

By CARL FREUND

The courtroom was hot and humid.

Nerves were on edge.

The result was inevitable.

Attorneys tangled in one verbal duel after another throughout the Jack Ruby hearing Wednesday. They also argued with witnesses.

One heated exchange took place while Sam Bloom, a Dallas advertising executive, was on the stand in Criminal District Court No. 2.

Melvin Belli, the chief defense attorney, hammered away with questions.

Bloom stood firm.

Belli hoped to show that the influential Dallas Citizens Council arranged for Bloom to serve as Judge Joe B. Brown's press representative during Ruby's murder trial.

Belli wanted to show also that the purpose was to create "a favorable image" of Dallas.

Bloom promptly informed the San Francisco lawyer he was barking up the wrong tree.

Bloom emphasized these points:

—Neither the Citizens Council nor any other group asked him to assist Judge Brown. Instead, he offered to do so voluntarily after he read that more than 300 news media men would converge on Dallas for the Ruby trial.

—His activities are limited to mechanical arrangements. These include recommendations for seating, preparations of credentials and arrangements for phone and telegraph lines needed for reporters.

When Belli raised his voice during an extended wrangle with Bloom, the witness snapped, "Don't bark at me."

"Well, don't snap at me," Belli retorted.

Another hot exchange involved Belli and Assistant Dist. Atty. William F. Alexander. It brought a veiled threat from the prosecutor.

The torrid word battle erupted after Harold Berman, a Dallas lawyer, testified he did not believe Ruby could get a fair trial here.

Cross-examining Berman, Alexander noted that most of the lawyer's conversations were with Dallas residents and not with persons who lived in rural or suburban areas.

"You are closer to the people in the city than the peasants out in the county," Alexander observed.

Belli termed the remark "insidious" and said he hoped voters remembered it when Dist. Atty. Henry Wade ran for office again.

Alexander was already sizzling because Belli had termed his courtroom attitude "insulting and disgusting" minutes earlier.

Jumping to his feet, Alexander told Judge Brown:

"If the court won't keep him in line, he'll be on his own."

Judge Brown ordered the lawyers to proceed with testimony. He warned lawyers again to "act like gentlemen" or face the consequences.

Other testimony during the long, hot day:

JOHN MCKEE, Dallas Crime Commission president—He agrees with its directors that Ruby could get a fair trial here. He believes any person accused of a crime can get a fair trial in Dallas.

U.S. DIST. ATTY. BAREFOOT SANDERS—It is possible attorneys could get an impartial jury here, but the task would be easier in another county.

Sanders, who emphasized he was speaking as an individual, said the best test was to question members of a jury panel here and determine from their answers whether they could give Ruby an impartial trial.

(This is a step prosecutors have recommended.)

W. M. BEAVERS, Merchants State Bank executive—He doesn't believe Ruby could get a fair trial in Dallas County or possibly anywhere in Texas.

"You can't see a man shot down with his hands tied without forming an opinion," Beavers said, referring to television and newspaper photos of Ruby shooting Lee Harvey Oswald.

JACK EITHERIDGE, Merchants State Bank assistant cashier—He has known Ruby five years (Ruby kept money in the bank) and doesn't believe the slayer could get a fair trial here. It would be "equally difficult" to get a fair jury anywhere in Texas.

JACK BEERS, Dallas News photographer—Attorneys would "find it pretty hard" to choose an impartial jury here.

BOB WALKER, WFAA-TV news director—Newspapers and radio

and TV stations have presented "both sides" of the case.

Although he believes it would be "difficult" to get an impartial jury here, most Dallas County residents interviewed by members of his staff say Ruby could get a fair trial in Dallas.

STANLEY KAUFMAN, Dallas lawyer who described himself as a friend of Ruby—Judge Brown should transfer the trial. Attorneys would find it "very difficult" to get an impartial jury here. It would be a "steep uphill battle."

Kaufman said also that he objects to Judge Brown's decision to allot courtroom seats to the press. He said the judge should open courtroom doors to the public, including reporters, on a "first come, first serve" basis.

ROBERT O'DONNELL, a lawyer—Ruby could not get a fair trial here.

RANDOLPH SCOTT, a lawyer formerly associated with defense attorney Tom Howard—Half of the Dallas residents who believe in the death penalty think Ruby should get it.

LAUREL BATES, a lawyer—Many Dallas residents have a subconscious desire to punish Ruby because of the emotional shock which followed the assassination of President Kennedy here.

T. K. IRWIN JR., a lawyer—Most Dallas residents have opinions. Some think Ruby guilty, while others believe him innocent.

"I don't know where you can find 12 people in Dallas County who can get in the jury box and cast aside their opinions," Irwin commented.

WALLY WESTON, an entertainer at the Carousel Club and a frequent visitor to Ruby's jail cell—He has heard Ruby praised and condemned for killing Oswald. He has also heard speculation Ruby was a Communist agent. As a result, he doubts Ruby could get a fair trial here.

(Mount Clipping in Space Below)

Witnesses Express Doubt That Ruby Could Receive Fair Trial in Dallas

Defense Attorney Held in Contempt

By CARL FREUND

Judge Joe B. Brown fined a defense lawyer \$25 for contempt Tuesday as tempers grew taut during the Jack Ruby hearing.

Judge Brown suspended the fine later after the lawyer, Joe Tonahill of Jasper, apologized for his conduct in Criminal District Court No. 1.

Judge Brown cracked down after warning prosecution and defense lawyers to stop exchanging verbal barbs.

Ruby's lawyers called 15 witnesses to the stand in an attempt to convince Judge Brown that the 52-year-old slayer could not get a fair trial here.

Ruby must stand trial on a murder charge filed after he shot Lee Harvey Oswald Nov. 24 while millions watched on television.

(Indicate page, name of newspaper, city and state.)

1 "The Dallas
Morning News"
Dallas, Texas

Date: 2-12-64
Edition:
Author:
Editor: Jack B. Krueger
Title:

Character:
or
Classification:
Submitting Office: Dallas
☐ Being Investigated

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FILE AND INDEX

Oswald had been accused of killing President John Kennedy and Policeman J. D. Tippit and critically wounding Gov. John Connally two days earlier.

Stanley Marcus, president of the Neiman-Marcus specialty stores, testified he has "grave reservations" whether Ruby could get a fair trial here.

'I Have Grave Reservations'

The Dallas civic leader told Judge Brown:

"I have grave reservations whether the defendant—or the prosecution—could get a fair trial in Dallas County . . . I have doubts whether you could get an impartial jury anywhere in the state, but I think it more likely in some other county."

Other testimony that Ruby could not get a fair trial here came from lawyers, housewives and a drummer who beat out the rhythm while strippers stripped in the downtown nightclub which Ruby managed.

County Judge Lew Sterrett testified, however, that he believed lawyers could select an impartial jury here.

So did the Rev. William A. Holmes, Northaven Methodist Church pastor who touched off a controversy when he stated on a network TV program that some school children cheered after President Kennedy was assassinated.

Melvin Belli, the chief defense lawyer, was obviously upset by the Rev. Mr. Holmes' conclusions. Belli slammed shut a book as the pastor left the stand.

Judge Brown recessed the hearing at 4:45 p.m.

The judge instructed lawyers to return at 9:15 a.m. Wednesday.

End of Testimony Seen Thursday

Defense lawyers said they expect to complete testimony Thursday. Then Judge Brown must decide whether Ruby should face a jury here or stand trial in another county.

The trial is scheduled to start Monday if Judge Brown does not transfer it.

Ruby listened intently to testimony Tuesday morning, but appeared tired and somewhat bored during the afternoon. Flanked by Sheriff Bill Decker's deputies, he spent much of the afternoon staring at the courtroom floor.

Determined to maintain order, Judge Brown repeatedly warned lawyers about exchanging remarks.

The judge admonished Dist. Atty. Henry Wade and Belli after they tried to outshout each other. He ordered Tonahill at another point to "sit down . . . take your chair."

Belli criticized The Dallas Morning News repeatedly, terming its stories biased and inaccurate.

Defense Says City on Trial

Ruby's lawyers tried to convince Judge Brown that:

--Dallas residents feel their city is "on trial" as a result of spitting incidents which involved President Lyndon Johnson and U.N. Ambassador Adlai Stevenson, activities of right-wing groups, the assassination of President Kennedy and the slaying of Oswald.

--Many Dallas residents feel the city "can vindicate itself" and end widespread criticism only by convicting Ruby.

--Ruby's reputation has been damaged by false newspaper stories and by untrue rumors that he was a Communist conspirator.

Wade and his assistants, A. D. Jim Bowie and William F. Alexander, countered with these arguments:

--Dallas County has more than 425,000 men and women eligible for jury duty and it is extremely unlikely that 12 impartial jurors could not be selected.

--Many of these potential jurors live outside Dallas and are not directly interested in the city's "image."

--Dallas residents would not deliberately convict an innocent man to protect the city's reputation. Furthermore, they know the city would receive more criticism if it did not give Ruby a fair trial.

Resentment Against Ruby Seen

Marcus said numerous Dallas residents harbor a resentment against Ruby because the shooting of Oswald led to more criticism of the city.

He said he doubted that potential jurors would convict Ruby deliberately because of this feeling, but he feared it would subconsciously affect their verdict if the trial is held here.

Wade asked, "Wouldn't you find this throughout Texas--the belief, probably unconscious, that the whole state is on trial?"

"No, I don't think so," Marcus replied. "I don't think the entire state has taken this as personally as Dallas."

Earle Cabell, who resigned as mayor to run for Congress, testified that Ruby has "brought down trouble on Dallas." The former mayor also said that "there is animosity toward Ruby" in Dallas.

Cabell declined, however, to say whether he thought the slayer could get a fair trial here.

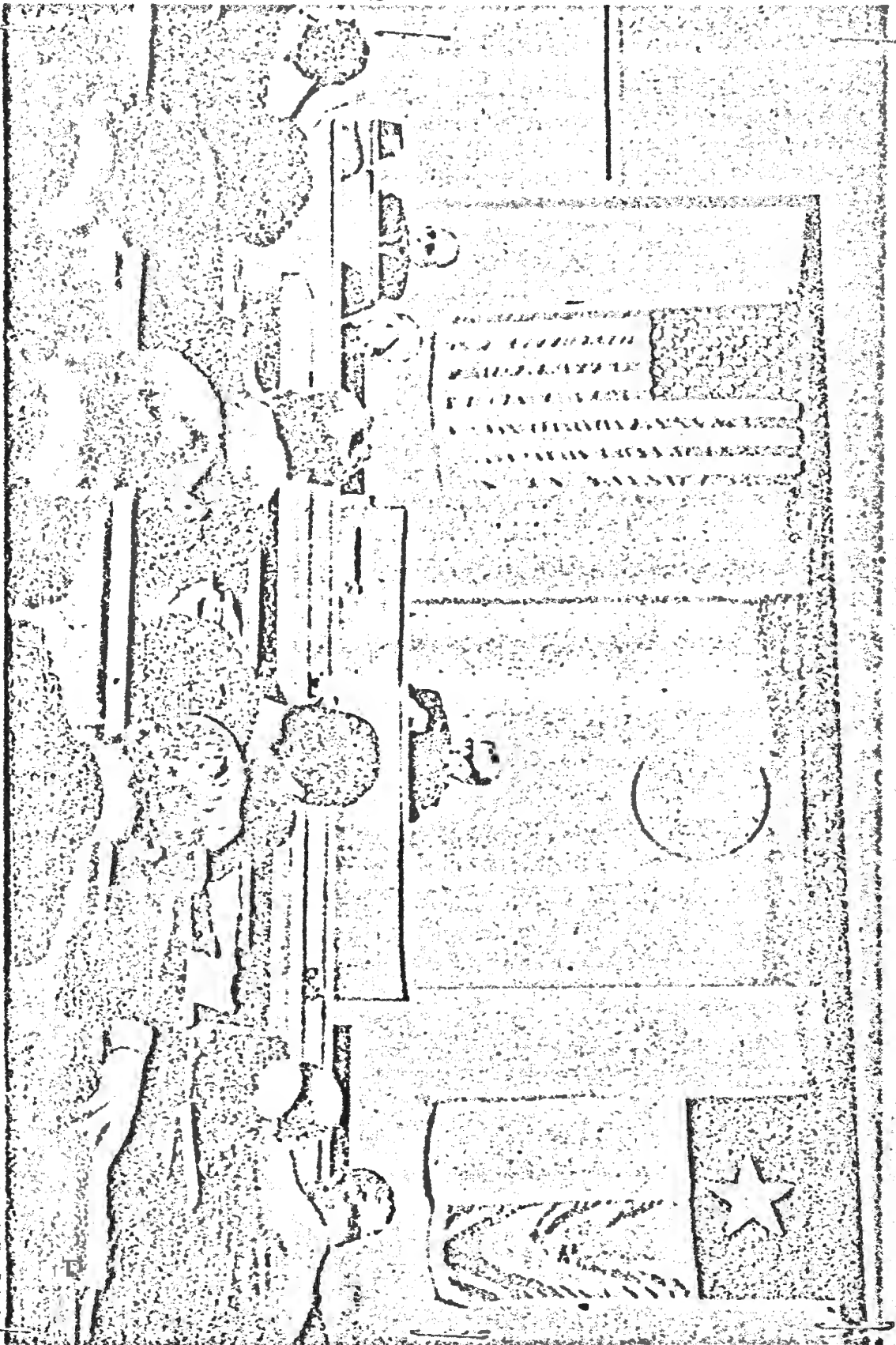
"It would be difficult to say . . ." he told Judge Brown.

Fowler Urges Trial Transfer

Lawyers who said Judge Brown should transfer the trial included Clayton Fowler, president of the Dallas County Criminal Bar Association; C. A. Droby, chairman of its board, Sam Donosky and Ben Henderson.

Donosky said Ruby would have "a hill to climb" if tried here, and Droby commented, "He would have two strikes against him if tried somewhere else in Texas, but he would have three strikes if tried here."

Doubts that Ruby could get a fair trial here were also expressed by Tony Zoppi, night-club editor of The Dallas News; J. D. Stokes of 213 S. Ewing, a former neighbor of the murder suspect; Mrs. Pauline Hall, who once worked as a part-time waitress for Ruby; Bill Willis, a drummer at the Carousel; Mrs. Edna Knight, long-time friend of the Ruby family; Ed Carroll, a radio equipment firm manager and amateur song writer, and Mrs. Doris Warner, a 19-year-old brunette who formerly managed an apartment house in which Ruby lived.



Stanley Marcus expresses doubts that Jack Ruby can get a fair trial here.

—Dallas News Staff Photo by Tom Dillard.

Ruby Clubs Denied New Beer Licenses

Two Dallas night clubs, formerly owned or managed by Jack Ruby, were denied new beer and wine licenses Tuesday at a hearing before County Judge Lew Sterrett.

Seeking new licenses were the Big D Copa, 1312½ Commerce, formerly the Carousel Club, which Ruby managed, and the Vegas Club, 3508 Oak Lawn, which he owned.

In asking that the licenses not be granted, Liquor Control Board Inspector Joe Nelms testified that cases are pending before the board in Austin which charge Ruby with "not being a peaceful and law-abiding citizen."

These cases, he said, should be cleared before licenses are issued even though Ruby is no longer connected with either establishment.

Ruby is listed as owner of the Vegas Club, and as a vice-president of the Carousel Club on present licenses.

However, the S&R Corp., which signed the present license over, owns the Carousel or Big D Copa, dropped him as an officer and director. Their new application lists Ralph Paul of Arlington as president, S. D. Ruby, Ruby's brother, as vice president, and Leo Torti as secretary-treasurer.

Mrs. Dolores Nolley, president of the Nolley Corp. of Mesquite, said on the application for the Vegas Club that her corporation had purchased all of Ruby's interests in the club. Bob Young is vice-president of the corporation and J. A. Knox is secretary.

Nelms told Judge Sterrett that the board would have no authority to issue new licenses for the clubs until pending cases against the former owner were completed.

Paul asked Nelms for details concerning the cases against Ruby but was referred to the board's files.

The Dallas police department entered no protest against the issuance of the licenses, but special services Lt. Tony Ingargiola testified that Mrs. Nolley had paid fines after being charged with passing worthless checks in 1958, 1959 and 1960.

On cross examination by Burt Barr, Mrs. Nolley's attorney, Lt. Ingargiola said that she had made restitution for all the checks and had been in no trouble since 1960. He said she now operates another Dallas night club.

Mrs. Nolley said that Ruby had signed the present license over to her and that they had asked that it be canceled for cause, thus terminating the case against Ruby. Barr argued that this should allow Judge Sterrett to issue a new license.

Nelms and Assistant Dist. Atty. John Orvis said that was a matter to be decided by the board in Austin.

Barr then filed notice of appeal on Judge Sterrett's refusal to grant the license.

Earlier, Judge Sterrett had denied renewal of the clubs' present licenses and ordered Tuesday's hearing on the new applications.

The present license for the Big D Copa expires March 8 while the license for the Vegas Club, which has been closed since the city revoked its dancing permit in January, doesn't expire until May 2.

Associated Press

AFTER APOLOGY

Judge Removes Attorney's Fine

By KENT BIFFLE

"Mr. Tonahill, that remark's going to cost you \$25!" stormed Judge Joe B. Brown at the tallest lawyer in the courtroom Tuesday.

"Go pay the clerk!" ordered the judge, holding Joe Tonahill, a 6-foot-4-inch attorney for Jack Ruby, in contempt for a side remark that made spectators giggle.

Tonahill — a 245-pounder with shoulders like bridge abutments — looked genuinely hurt.

He held up a delaying hand:

"Your Honor . . . will you lend me the money?"

The crowd was suddenly giggling again, several lawyers were on their feet, the judge was pointing at Tonahill and Melvin Belli, chief defense counsel, was whispering in Tonahill's ear.

"You do what I tell you . . ." said Judge Brown. "What am I being fined for?" Tonahill wanted to know.

"For making sidebar remarks," said the judge. "You're being fined for making a sidebar remark after the court had cautioned and warned you . . ."

Belli was whispering to Tonahill.

Tonahill looked at the judge earnestly. "I'm sorry," he said.

"All right. Be quiet," snapped the judge, lifting the fine.

Tonahill, of Jasper, later showed reporters that he really didn't have \$25 in his wallet.

He'd gotten into trouble for the side comment after raking prosecuting attorneys over the coals.

"Never in my life have I seen such rudeness from prosecuting attorneys . . ." Tonahill had complained to the bench.

Assistant Dist. Atty. A. D. Jim Bowie, in the midst of questioning a witness, turned to Tonahill

and said grandly: "I apologize."

Bowie resumed questioning the witness. "I accept your apology," said Tonahill primly.

It was that remark that the crowd found funny and the judge didn't.

Tonahill's forehead had been beaded with sweat even before the near-miss fine. In fact, he had earlier made the heat of the stuffy courtroom an issue in the case.

"Let the record show that the courtroom is being turned into a veritable hothouse for security reasons," said Tonahill.

He had protested the unwillingness of the judge and Sheriff Bill Decker to have a window raised near the jury box.

"Sealing the courtroom this way is a major point in this case," Tonahill maintained. Sheriff Decker said keeping that particular window closed had nothing to do with security. "It throws a draft on the judge and the people in the jury box," he said.

When County Judge Lew Sterrett took the witness stand, Tonahill demanded to know if the Commissioners Court wasn't somewhat embarrassed by the cramped facilities for the Ruby hearing.

Sterrett indicated the commissioners were not embarrassed. The county judge pointed out that a new, modern court building is being constructed.

Tonahill wanted the record to show that the room was stuffy. He said, "We all realize that working in an inadequately ventilated courtroom, the attorneys for the defendant cannot be as effective as the law expects them to be."

Press Aide Criticized By Defense

Attorneys for Jack Ruby fired more criticism Tuesday at Sam Bloom, a Dallas advertising executive who is serving as Judge Joe B. Brown's press adviser for Ruby's murder trial.

One defense lawyer, Joe Tonahill, suggested that Bloom's primary purpose was "to admit certain newspapermen and exclude others" from Criminal District Court No. 3 during the trial.

Tonahill implied that Bloom showed favoritism toward newspapermen sympathetic to Dallas.

The lawyer told Judge Brown he intends to call Bloom to the stand Thursday.

Judge Brown said earlier that he lacked the time and background to handle press arrangements for the trial. For that reason, he said, Bloom was assisting him.

Judge Brown emphasized that he—not Bloom—made the final decisions.

The chief defense lawyer, Melvin Belli, also asked questions about the Dallas Citizens Council and its influence.

Belli asked Ed Maher, Dallas auto dealer who heads the Parkland Hospital board:

"Are you a member of The Establishment?"

"I don't know what it is," Maher replied.

"Well, are you a member of the Dallas Citizens Council?" Belli asked.

When Maher replied that he was, Belli asked, "Haven't you ever heard it called 'The Establishment'?"

"Not seriously," Maher informed the California lawyer.



—Dallas News Staff Photo

Judge Nancy Cannon . . . didn't want to miss this change of venue hearing.

RUBY HEARING

Judge Flies Across U.S. To Observe

Judge Nancy Cannon of the Municipal Court of Los Angeles is a petite, platinum blonde who came all the way from California to watch proceedings in the Jack Ruby venue hearing.

"This is one of the few times that such a extensive hearing on a change of venue has been held," said the blue-eyed, fashionably dressed jurist.

Change-of-venue questions are not as common in California as in Texas, she noted. This one she didn't want to miss. So she packed and took a jet to Dallas on Sunday.

She plans to stay for the remainder of the hearing. There are 48 other judges who serve on the municipal bench in Los Angeles, she said.

Half a dozen of them are women.

RUBY LAWYERS HAVE PICNIC

"I'll probably be picked up for loitering," joked Melvin Belli, chief counsel for Jack Ruby, as he led three other defense lawyers and an investigator to a small park for lunch Tuesday.

The San Francisco attorney went to a park across the street from the courthouse within view of the spot where President Kennedy was shot on Nov. 22.

Monday Belli and company ate lunch in front of the Criminal Courts Building. Both days, the menu consisted of sandwiches and boiled eggs.

Bomb Threat Discussed by Ruby Lawyers

Defense lawyers suggested Tuesday that "a bomb threat" caused county officials to drop plans to use a building near the courthouse as a waiting room for witnesses called for the Jack Ruby hearing.

A defense lawyer, Joe Tonahill, asked about "the bomb threat" while County Judge Lew Sterrett was on the stand.

Judge Sterrett said he knew nothing about it.

Judge Joe B. Brown, who arranged for use of the building, said he also knew nothing "about any bomb."

Judge Brown announced last week that witnesses could wait in a privately owned building on Elm Street until called to testify. The judge canceled this arrangement later, saying he had learned the plan would result in cancellation of insurance on the building.

Courthouse officials converted a courtroom into a waiting area.

LAWYER REVEALS THREAT, PASTOR TELLS OF GUARD

One witness in the Jack Ruby hearing Tuesday testified that his life was threatened and another said police protected him.

C. A. Droby, a lawyer, said his wife received threatening calls after a newscast reported that he might defend Ruby on a charge of murdering Lee Harvey Oswald.

Droby said the caller told his wife: "He (Droby) will be the next to die."

The Rev. William A. Holmes, pastor of Northaven Methodist Church, said police suggested his family stay with friends after he appeared on a network television show. He stated on the TV news program that some school children cheered when told President Kennedy had been shot.

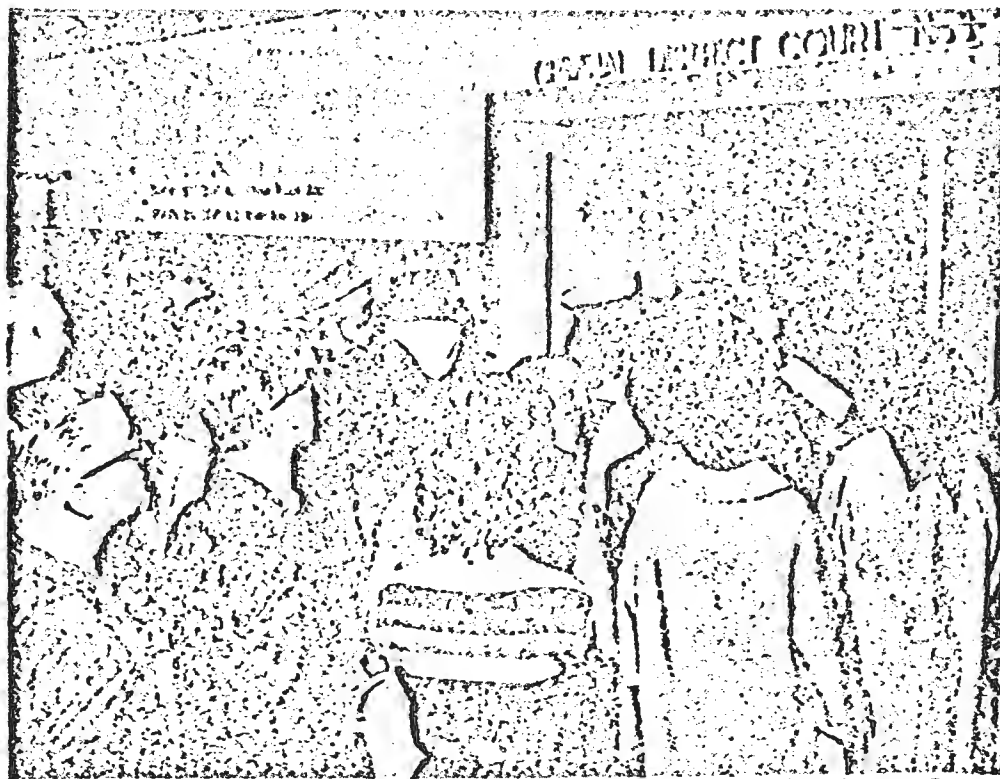
The Rev. Mr. Holmes said police protected him and his family temporarily although he did not ask for the police guard.

DA's Staff Holds Huddle

Police officials and staff members from the district attorney's office huddled for more than an hour at police headquarters Tuesday night, reportedly checking evidence for the trial of Jack Ruby.

Dist. Atty. Henry Wade said: "We were viewing some old film the police have," but refused to comment on whether it concerned the Ruby case.

Deputy police chief M. W. Stevenson said the conference was a "rehash of evidence in a case coming to trial in several weeks."



—DALLAS NEWS STAFF PHOTO

EARLY BIRDS GET SEATS

A crowd of would-be spectators at the Jack Ruby change-of-venue hearing wait Tuesday to be admitted to Criminal District Court No. 3.

Here's What 16 Witnesses Said About Ruby and Dallas

By HUGH AYNESWORTH

Sixteen witnesses were heard Tuesday in the change of venue hearing for the Jack Ruby murder case.

Here, briefly, is a rundown on the witnesses and what they told Judge Joe B. Brown:

STANLEY MARCUS, president of Neiman-Marcus, a native of Dallas all his life: "I have grave reservations whether the defense or prosecution can get a fair trial in Dallas."

Asked if he thought another



—Dallas News Staff Photos.

Clayton Fowler . . . "Most people are highly opinionated."

city would offer Ruby a better chance?

"I have reservations of where we can get a fair trial, but it would be more likely some other place than here," said Marcus.

Q—Is the feeling that Ruby brought down trouble on Dallas

likely to play an unconscious part in deliberations by jurors?

A—There might be.

Q—Could the court find 12 jurors who had not seen or heard about the case on TV or in the newspapers?

A—I would think it would be difficult.

Asked whether jurors in other sections of Texas might not un-



Sam Donosky . . . "Dallas is under the gun."

consciously try to protect the state's image:

"I don't think so," Marcus replied. "Texas doesn't take this as a personal matter as Dallas does."

Asked if he did not feel that in the approximately 1,000,000 people in Dallas County there could be found 12 unbiased, unprejudiced jurors:

"I think you could find anything in a million people," he replied, adding that he felt it would be "more likely somewhere else."

Marcus said he felt Dallas jurors would "unconsciously try to protect the image of the city."

CLAYTON FOWLER, president of the Dallas Criminal Bar Association, an attorney here for 16 years: "Most people are highly opinionated" about the Ruby case. "My impression is that Mr. Ruby would have a difficult time getting a fair trial anywhere he is moved."

Asked if he would ask for a venue change if he were a defense counselor: "If I were in your seat, I have a feeling I would. You have a duty to the man; and on account of several factors, I feel I would."

C. A. DROBY, board chairman of the Dallas Criminal Bar Association, an attorney in Dallas for 14 years: "If I were defending him (Ruby), I'd want it moved out of Dallas." In another county



C. A. Droby . . . "I'd want it moved out of Dallas."

"he'd have two strikes against him, but it seems like he has three strikes in this county," Drobby said.

SAM DONOSKY, Dallas attorney: Dallas is "under the gun, so to speak. He (Ruby) would have a harder hill to climb if the case is heard in Dallas." He said a possibility of obtaining a fair and impartial jury remained, but "it would be a harder hill to climb. It's not right for a defendant to have to climb a hill."

ED MAHER, chairman of the board of Parkland Hospital: He disagreed with an article in The Dallas Morning News concerning his refusal to allow Ruby to take "rain wave" tests at that hospital. Asked if he called the reporter involved to complain about the alleged inaccuracies, Maher replied, "Of course not."

Maher was on the stand but seven minutes and most of the time was spent by argument between counselors.

EARLE CABELL, former Dallas mayor: Asked if Dallas was "on the defensive," Cabell said "I think that's right." Does he know of any other Texas city that has received the adverse criticism Dallas has in the past two years? "No, I can't say that I do." Would it be a reflection on Dallas if the trial was moved? "I don't think so."

Is part of this criticism due to what Jack Ruby did? "I think that's right."

THE REV. WILLIAM A. HOLMES, pastor of Northaven Methodist Church: He said he had received 550 letters concerning a controversial sermon he delivered Nov. 24 and repeated for CBS News two days later—"about 500 of them favorable."

He admitted saying, "Dallas is the city where fourth grade children in a North Dallas public school clapped and cheered when their teacher told them of the assassination . . . in the name of God, what kind of a city have we become?" Asked if Ruby could get a fair trial in Dallas, he said, "In my opinion, he can get a fair trial here."

TONY ZOPPI, night-club editor of The Dallas Morning News, a resident of Dallas for 14 years and friend of Ruby's the past years: He said he didn't feel the Oswald killing brought shame on Dallas, but admitted he was "almost afraid to stand up" when Joe E. Lewis introduced him in a New Orleans night club shortly after the tragedy. He said when Danny Thomas introduced him to a Los Vegas Sands Club audience Dec. 14, "a sort of hush" set over the crowd, which, he said, "I guess is natural."

Asked about the prospects of Ruby getting a fair trial here, he said, "We have been so closely tied in, so involved, it would be very difficult. We have been more exposed than any other city—it happened here."

JEFFERSON B. STOKES, a neighbor of Ruby at 213 S. Ewing: "I would, I feel, get a better



Mrs. Curtis L. Warner

. . . "Everyone has formed an opinion."

trial if he had an opportunity to have it elsewhere." In Dallas, he said, "even though they are sworn as jurors, they could not get rid of the prejudice in their hearts."

BILL WILLIS, 35, a drummer at the downtown striptease club Ruby managed: "I don't think you could get a fair trial here." He said he heard rumors about Ruby having Communist affiliations, and added, "This is lunacy of the first order." He also said, "Jack is psychologically disturbed." Could he get a fair trial anywhere in Texas? "I have no opinion."

BEN HENDERSON, a Dallas attorney since 1936: "I would say he cannot" get a fair trial in Dallas "because they (the people with whom he had discussed the case) seem to assume this man is guilty because of the TV coverage" of Nov. 24. He said he considered it "justifiable homicide in

Ruby's case if Oswald was found guilty. I fully believe that if Oswald is proven guilty, this man is innocent. I've never known it was a violation to kill a tyrant."

He suggested the trial be held in Mentone (population 110) in Loving County "because there's not a single lawyer in the county."

LEW STERRETT, county judge, Commissioners Court: Asked if he thought Ruby could get a fair trial in Dallas, he said: "I think so." Is there any prejudice in Dallas at all? "I think he can get a fair

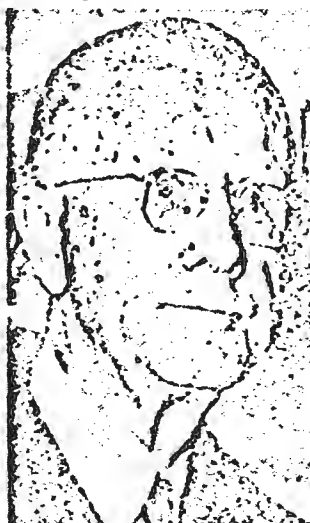


Earle Cabell . . . No reflection on Dallas if case moved.

trial." As for prejudice, "About the Ruby case in particular, I've heard very little."

MRS. CURTIS L. WARNER, 19, of Irving, manager of the apartment house in which Ruby lived at the time of the Oswald killing: "Everyone has formed an opinion one way or the other—either for him or against him." She said she had talked to as many as 100 people about the case. "I think his chances would be better outside of Dallas."

Mrs. Warner also said that Ruby paid rent on one apartment and George Senator on an adjoining one. They had been called room-



Ed Maher . . . Disagreed with newspaper article.

mates in earlier testimony at a bond hearing.

ED CARROLL, an office manager for the Robert Eastman Co. in Dallas, a friend of Mrs. Eva Grant, Ruby's brother: "I don't believe he can" get a fair trial in Dallas. "The citizens kinda feel like we're on trial here. I don't feel they're indifferent."

MRS. EDNA KNIGHT, Dallas housewife, friend of Ruby for several years: She said he couldn't get a fair trial "because Dallas would have to defend itself . . . would have to make an example. I maintain he would be better off in another town. Our town is on trial." Could she give him a fair trial if she were chosen a juror? "I don't think I'm capable."

PAULINE HALL, former barmaid at Ruby's Club Vegas: Could he get a fair trial? "No. I don't believe so." She said Dallas citizens felt that Ruby's act had embarrassed them. Would this work its way into the jury box to affect the outcome of this trial? "Yes, I believe it would work against him."

Tuesday's box score: A dozen witnesses thought Ruby could not get a fair trial in Dallas, two said he could and two proved indecisive.



Judge Lew Sterrett . . . "I think he can get a fair trial."

(Mount Clipping in Space Below)

Belli Says Ruby Victim of Conspiracy To Keep Him From Getting Fair Trial —Press Agent's— Role Questioned

By BOB FENLEY and JERRY RICHMOND, Staff Writers
Defense attorney Melvin Belli charged Wednesday that Jack Ruby is a victim of "a conspiracy" to deprive him of a fair trial.

But two witnesses—including Dallas Crime Commission President John McKee—testified in Ruby's change-of-venue hearing that they thought he could receive a fair trial here.

Mr. Belli made the charge of a "conspiracy" after questioning public relations man Sam Bloom, Wednesday morning's first witness, who also said he believed Ruby could get a fair trial here for the slaying of accused assassin Lee Harvey Oswald.

(Indicate page, name of newspaper, city and state.)

1 "The Dallas
Times-Herald"
Dallas, Texas

Date: 2-12-64

Edition:

Author:

Editor: Felix R. McKnight

Title:

Character:

or

Classification:

Submitting Office:

Dallas

☐ Being Investigated144-35016-A
NOT RECORDED

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INITIALED

65 FEB 20 1964

64 FEB 20 1964

At this point, the state objected to the line of questioning and Mr. Belli replied: "Since this man is obviously prejudiced and biased, we feel the defense has a right to know who got him in, what his function is and how he outlined the seating arrangement for the press."

"We believe there is a conspiracy, no matter how sophisticated or subtle it may be," Mr. Belli charged, referring to the efforts to try Ruby in Dallas.

But, Mr. Bloom said earlier, he volunteered his firm's services without compensation to handle only the mechanics of the case.

"Members of our firm assigned to this activity were instructed there would be no press releases and they would work only with the mechanics involved in supplying the press with those tools of the trade they need for accurate coverage," he said.

Mr. Bloom, who had been subpoenaed to bring all his files on the Ruby case to court, said his firm was not representing any individual and had not been contacted by any individual or group to offer its services in the case.

Asst. Dist. Atty. Bill Alexander objected immediately to defense lawyer Belli's attempt to have all of Mr. Bloom's records put into evidence. Judge Joe B. Brown sustained the objection.

Mr. Belli asked Mr. Bloom if part of his job was to "make an image."

HASSLE DEVELOPS

The four manila folders containing Mr. Bloom's records a few minutes later became the center of an involved legal hassle as the defense hammered at the public relations man's role in the proceedings.

At a later recess the state said it would be all right if the defense copied the records.

Judge Brown had several times refused introduction of the records when Mr. Belli asked that they be made a part of the record or identified. Mr. Belli said that without the records, I think our defendant is very seriously prejudiced."

"May they be preserved by the clerk?" asked Mr. Belli.

"No, sir," replied Judge Brown. Attorney Tonahill interjected: "May we just have a photograph of them?"

The judge again refused and added: "Let's go on."

"I can't go on," replied Mr. Belli. "I can't go into federal court and say we have been precluded from seeking evidence without having some record that the evidence exists."

LATER ADMITTED

The files were later admitted into evidence after Dist. Atty. Henry Wade withdrew the state's objections to their materiality in the hearing.

This action came after the 15-minute recess during which Mr. Belli threatened to go immediately to a federal court in an effort to force Judge Brown's court to identify or admit into evidence the four disputed folders.

The four folders were admitted opened and perused by defense attorneys. They contained foreign, domestic and local press requests and the carbon copies of agency replies to requests.

Asked if he used memos to handle the requests for seats and other equipment, Mr. Bloom replied, "No sir, because in this case the press needs were too fluid."

He explained that each medium of the press had different kinds of requests.

Mr. Belli snapped, "Who decided it was fluid?"

This question prompted a heated exchange and was never answered.

"DON'T BARK AT ME"

Mr. Belli, don't bark at me," Mr. Bloom said.

"Then don't you smile at me," retorted Mr. Belli.

Judge Brown then ordered Mr. Belli to be seated to continue his questioning.

STORY INACCURATE

Mr. Belli asked Mr. Bloom about a passage from a Times Herald story which stated that a press release announcing the television ban had been issued by the Bloom agency.

"That is incorrect," said Mr. Bloom after reading the story.

"Do you see any other inaccuracies?" asked Mr. Belli, and the public relations man said, "I don't know."

Just prior to the questioning about The Times Herald story, Mr. Bloom was asked whether he controls the telephone and telegraph communications for the press outside the courtroom.

"When did you tell Mrs. Hankins no one was to get a telephone outside the courtroom without your approval?" Mr. Belli asked.

"I don't know anything about that," answered Mr. Bloom.

"You don't know," pressed Mr. Belli, "if when you call the telephone company they refer you to the Bloom agency?"

"No sir," said Mr. Bloom.

The defense then switched back to questioning on Mr. Bloom's opinion on a fair trial for Ruby. Asked why he thought Ruby could get a fair trial, Mr. Bloom replied:

"I believe the people of Dallas are decent and honorable and will struggle for fairness."

Mr. Bloom said he thought the city and its people were not on trial for any events leading up to Nov. 22 or after the assassination.

"Do you want him to be tried here," Mr. Belli asked.

"I would very much want Mr. Ruby to find justice in a court," replied Mr. Bloom.

At one point Mr. Belli asked Mr. Bloom if part of his job was to make "an image."

Mr. Bloom replied, "Yes, if that kind of thing is called for."

The defense attorney then remarked, "You wouldn't make a bad image, would you?"

And, Mr. Bloom answered, "No."

To repeated state's objections of Mr. Belli's inquiries as to the functions of a public relations man, Judge Brown remarked, "I'm going to overrule the state. I would like Mr. Bloom to explain his relation with the court."

The witness then explained that his agency did not have public relations clients other than commercial institutions.

Mr. Belli then asked, "The image (you prepare) is to sell their commodity, isn't it?"

Bloom replied affirmatively.

He later described his agency as a corporation with 55 employees.

Under questioning by Mr. Belli, Mr. Bloom denied he had been requested by Dallas newspapers to handle the mechanics of the case. He said his motivation came shortly before the Dec. 22 trial hearing when he read stories that there would be a problem in handling newsmen for the case.

IMAGE TO SELL?

Mr. Belli brought up Mr. Bloom's handling of the visit to Dallas of President Kennedy.

"Regarding your handling of public relations for the President's visit, you wanted to sell Dallas as a friendly city?" asked Mr. Belli.

"Yes sir," answered Mr. Bloom.

"Are you still selling the image of Dallas as a friendly town?" asked Mr. Belli.

"No sir."

"When did you stop?" When the President was shot?"

"I never did start," Mr. Bloom replied. "I was interested in seeing the President had a warm welcome. I did not try to sell any image. I did not try to create an image, Mr. Belli."

"PEOPLE ARE FAIR"

Crime Commission President McKee told the hearing he thought Ruby could receive a fair trial in Dallas.

"Why do you feel this way," asked Mr. Tonahill.

"Because the people in Dallas are fair," he replied.

The Crime Commission president added that he did not know for a fact that it was Jack Ruby who shot Lee Harvey Oswald.

He said he saw television movies of the shooting in the City Hall basement, "five, six or ten times" but said he could not identify Ruby as the man who pulled the trigger.

Ruby was brought down from his cell to the jury room of Judge Brown's court at 7:57 a.m. Wednesday. Surrounded by what appeared to be an unusually large group of deputies, he was whisked by reporters with only time to say "good morning."

A sometimes turbulent and sometimes dreary second day of the hearing closed Tuesday with defense lawyer Joe Tonahill expressing gratitude that Judge Brown excused him from a \$25 contempt of court fine levied for "sidelar remarks" in the hearing for Ruby, Dallas night club owner who killed accused presidential assassin Lee Harvey Oswald.

16 WITNESSES

It was a day in which 16 witnesses sat on the stand. Twelve of them testified there couldn't be a fair trial in Dallas, two said there could be, one was neutral and one did not offer an opinion.

It was the defense's day. The defense had taken a drubbing Monday when it sent seven witnesses to the stand and four of them said Ruby could get a fair

trial in Dallas. The others either brought newspaper evidence or testimony as to the proximity of the courtroom to the assassination site.

Asked what legal moves might come before the actual murder trial of Ruby, Chief Defense Counsel Melvin Belli said Tuesday he could make no comment, but defense sources indicated "every possible defense move would be used in Ruby's behalf."

One possibility is a motion for a sanity hearing before the actual trial which is scheduled to begin next Monday.

In comments to reporters during recesses in the change of venue hearing, Mr. Belli has said, "There are several federal avenues open to us."

Such moves might be made before the trial, if the motion for change of venue is denied.

Judge Brown remarked during a session of court Tuesday an extraordinary number of prospective jurors—100—had been summoned for all district courts on Monday.

When the state cross-examined County Judge W. L. (Lew) Sterrett and asked his opinion about a fair trial for Ruby, a violent dispute arose.

Defense attorney Tonahill complained bitterly about the lack of "courtesy on the part of prosecution attorneys."

Moments later when Asst. Dist. Atty. A. D. Jim Bowie apologized, Mr. Tonahill exclaimed, "I accept the apology."

Judge Brown immediately addressed Mr. Tonahill: "Go pay your \$25 and get your receipt from the clerk."

Taken aback, the Jasper, Tex., lawyer inquired why he was being held in contempt and the judge replied: "I have warned you about making sidelar remarks, then cautioned you and then warned you again."

Mr. Tonahill later reported his apology had suspended the fine. County Judge Sterrett had been asked by the defense about the county's ability to provide adequate facilities for a trial of "this scope."

He said, "It is the best we can do until our new building is complete (referring to the new county center now under construction)."

Judge Sterrett said, "We have been concerned about our courtrooms for years, and that is why we are building a new building now."

Defense attorney Tonahill had asked if the facilities provided for the Ruby trial had embarrassed the Commissioners Court, and a string of prosecution objections followed.

The judge upheld the prosecution objections which prevented Judge Sterrett from answering any subsequent questions concerning "rental of additional facilities for the witness subpoenaed in the hearing, withdrawal of beer and wine licenses to Ruby's clubs, or rejection of newsmen to cover the Ruby trial in limited court facilities."

MARCUS DUBIOUS

Tuesday's lead witness for the defense, specialty store head Stanley Marcus, expressed "grave reservations" whether Ruby could receive a fair trial in Dallas, and set the pace for other defense witnesses during the day.

He was followed by Dallas attorneys Clayton Fowler, C. A. Drobny and San Donosky, who each expressed doubt that Dallas could offer an atmosphere for a fair trial.

Ed Maher, a Dallas auto dealer and chairman of the board of Parkland Hospital, answered relatively little during violent bickering between state and defense. Questions by Mr. Belli as to whether Mr. Maher had refused

electroencephalograph and other brain test facilities to Ruby at Parkland, were batted down on state's objections.

Former Dallas Mayor Earle Cabell said he could not make a definite statement, one way or the other, as to whether a fair jury could be secured in Dallas. He affirmed during questioning that he had said Ruby brought down "trouble" on Dallas.

Mrs. Pauline Hall, a former part-time employe of Ruby at the Vegas Club, was the first woman called in the change of venue hearing.

She agreed with Mr. Tonahill that the feelings and expressions of persons she has come in contact with indicated Ruby could not get a fair trial in Dallas. When asked if she thought such feelings would prevent a fair trial, she replied, "I believe so." She testified she had known Ruby for eight or nine years.

Another of Ruby's friends, curly-haired Carousel Club burlesque dancer Bill Willis, took the stand to declare he (Willis) was a student of logic and, "I don't think he could get a fair trial here."

Mr. Willis said he had "denied vehemently" any association of Ruby with Communists and had termed "lunacy" those suggestions that Ruby shot Oswald for publicity.

"A logistical inadequacy has been established in the minds of people . . . by newspapers," he said.

In particular, said the musician, a newspaper reporter had done a story about hypnotist-mentalists Bill DeMar's feeling he may have seen Oswald in the Carousel Club.

"I said, 'Bill, you're going to cause a national sensation,'" the witness recalled. "DeMar said, 'I couldn't definitely say that he (Oswald) was (in the club).'"

"I think Jack is psychologically disturbed," continued the witness in further questioning.

He said he believed the statement by the mentalist affected half a million persons in Dallas.

"Could Ruby," asked Prosecutor Bowie, "Get a fair trial anywhere in Texas?"

Mr. Willis said he didn't know.

Dallas attorney Ben Henderson caused some confusion with his complex reasoning: "If you prove Lee Harvey Oswald is innocent, then this man (Ruby) is guilty; but if you prove him guilty, then this man is innocent."

"I've never known it to be an offense anywhere to kill a tyrant."

"Who," asked Asst. Dist. Atty. Bill Alexander, "is the tyrant?"

"If Oswald were actually guilty, he would be the tyrant," replied Henderson.

The defense then called Mrs. Doris Warner, a 19-year-old Irving resident who said she had managed the dwelling where Ruby and his friend, George Senator, had lived in adjoining apartments.

Defense lawyer Sam Brody asked if she thought Dallas County could be impartial or indifferent.

"No," said Mrs. Warner.

Mr. Alexander was curious about the apartment arrangement: Did Ruby and Senator live in the same or adjoining apartments?

"They lived next to each other," she replied.

Mr. Alexander asked if she had heard ~~some~~ opinion that Ruby man, said, "I don't believe he can get a fair trial here. There is a feeling of the citizens of Dallas like we were on trial. I was quite upset it happened here in Dallas."

"There are some, then, who don't want to burn him?"

"What? What? Burn him?" shouted Mr. Belli, rising quickly from his chair.

"That's a shorthand rendition (of electrocution)," explained Mr. Alexander.

"I think the chances are better for him getting a fair trial outside Dallas," continued the witness. "The newspapers here are prejudiced against him. They put in ~~words~~ never said."

Fred Carroll, a traveling salesman, said, "I don't believe he can get a fair trial here. There is a feeling of the citizens of Dallas like we were on trial. I was quite upset it happened here in Dallas."

"Are you Ruby or Burleson's friend," inquired Mr. Alexander.

"Eva Grant's," said the witness. (Mrs. Grant is Ruby's sister).

"Where did you meet her?" asked the prosecutor.

"At the B&B Cafe," said Mr. Carroll.

"Did you know she was barred from the B&B?" queried Mr. Alexander, whereupon the defense raised objection and the protest was sustained by Judge Brown.

To another line of questioning, Morning News columnist Tony Zoppi had stated to the court that in his recent visits to New Orleans and Las Vegas he has sensed a "hush" in the audience when he was introduced as a Dallas newspaper columnist.

"Very often when I was introduced from the audience it was apologetically," Mr. Zoppi said. One entertainer had introduced him: "Mr. Zoppi, the nightclub accused murderer could get a fairer trial elsewhere."

Mr. Stokes, an assistant to the pathologist at the Veterans Hospital in Dallas, said he based his opinion on his contacts with Dallas people he met in his work.

Earlier in the afternoon Dallas

Mr. Carroll answered he had once written a song which was recorded and he met Ruby when signing the contract with the singer.

The name of the song, testified Mr. Carroll, was, "Gila Monster."

Ruby's former neighbor, J. D. Stokes of 213 S. Ewing, said under examination by the defense that he felt Dallas was "a little prejudicial against Ruby" and the accused murderer could get a fairer trial elsewhere.

Mr. Stokes, an assistant to the pathologist at the Veterans Hospital in Dallas, said he based his opinion on his contacts with Dallas people he met in his work.

Earlier in the afternoon Dallas

Mr. Zoppi testified that "we (Dallas) had been so closely tied and intimately involved (in the Ruby case) it would be hard to get a fair trial in Dallas."



—Staff Photo by Eamon Kennedy

Ex-Landlady Mrs. Doris Warner.

Ruby Meets Press (Get Off My Foot!)

Jack Ruby's third meeting with the press this week occurred Wednesday morning in the usual melee of elbows, microphones, cameras, lights and shouted questions before court convened for his change of venue hearing.

The 53-year-old nightclub operator Wednesday morning asked Phillip Berard of the French Broadcasting System to express to the people of France "my blessings," and to tell them "I

am grateful for their message." Ruby's message was in response to a card the slayer of Lee Harvey Oswald had received from a French family. Berard had translated the French writing and said the card contained a verse from St. Matthew and a message, "Mercy to all people."

MOST SIGNIFICANT

The 53-year-old defendant's message was the most illuminating statement of his early morning press meeting, highlighted this week by a hurly-burly dreaded by most newsmen who must cover it in case Ruby does say something significant. He will not discuss the case.

At least an hour before Ruby's meeting with the press, reporters begin gathering around the closed door to Judge Joe B. Brown's courtroom. By the time doors are opened the crowd has swelled to 25 or 30 men standing as if they had been packed into a small sardine can.

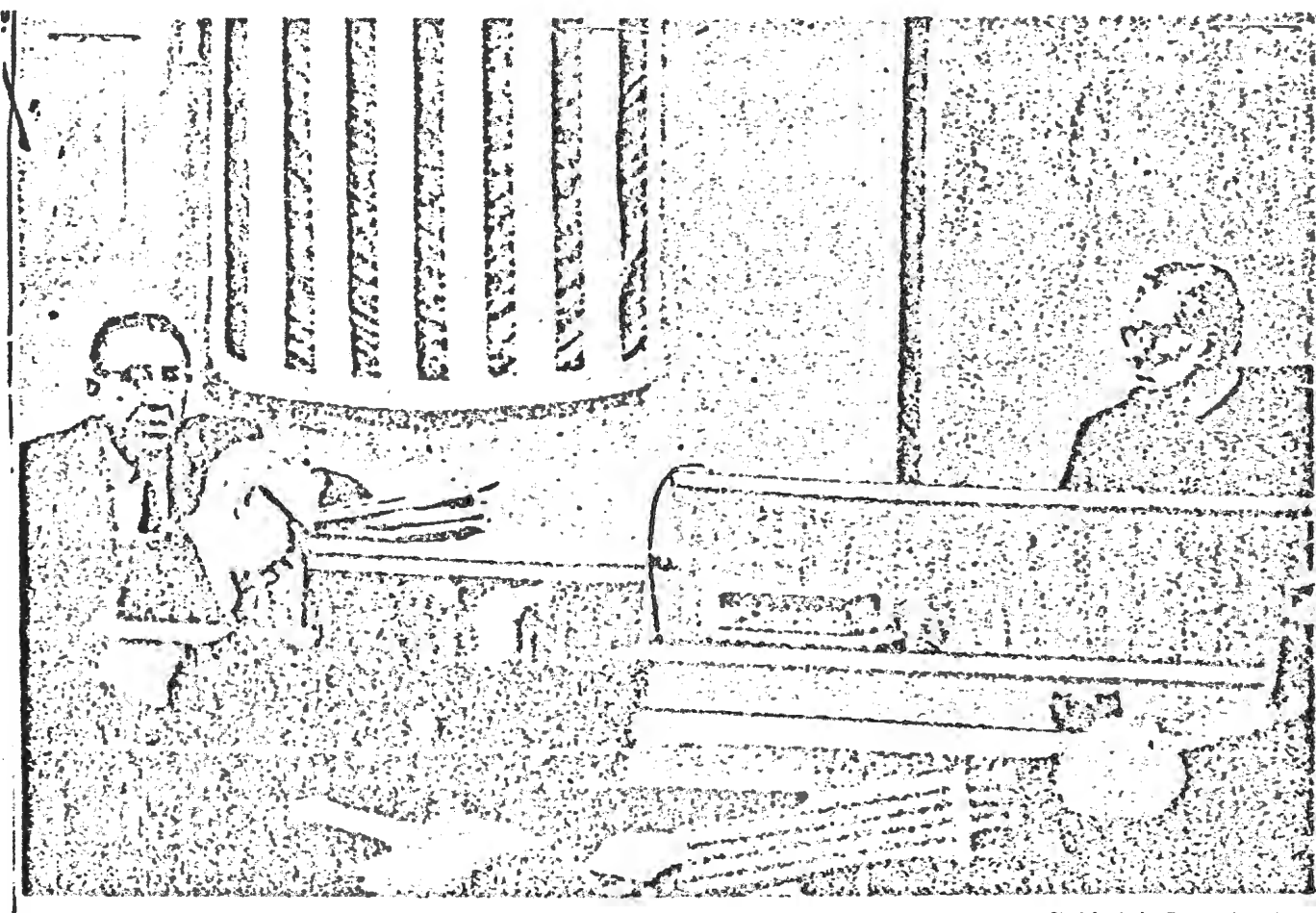
The reporters right at the door get the choice spots close to Ruby when sheriff's deputies finally let the newsmen in with the photographers before court convenes.

TIGHT CONFUSION

The scene around Ruby is a tight mass of confusion—reporters elbow to elbow shouting questions and trying to write notes. Microphones are indiscriminately shoved toward Ruby. One struck defense attorney Joe Tornhill in the ear Monday.

Ruby speaks in a soft voice and when he says something the immediate reaction is a chorus of voices saying, "What did he say?" and "Did you hear it?" as reporters interview each other.

The questioning and picture-taking session lasts anywhere from three to seven minutes and then cameramen (wearing blue badges) are unceremoniously shoved out of the courtroom. The reporters (wearing red badges) forget Ruby and following instincts of self-preservation dash and scramble for the few seats available for the hearing.



—Staff Photo by Eamon Kennedy

Judge Brown, right, listens as advertising man Sam Bloom testifies.

Even Courtroom Said Unsuitable

The courtroom itself has become an issue in whether Jack Ruby can receive a fair trial in Dallas.

Defense attorney Joe Tonahill attacked the stuffiness and the heat of Judge Joe B. Brown's small, crowded courtroom Tuesday and said it could possibly decrease the effectiveness of the defense lawyers.

In questioning County Judge W. L. Jew Sterrett, the Jasper attorney sought to elicit the statement that Dallas County was "embarrassed" over the courtroom. Jack Ruby must be tried in.

Objections from the state kept Judge Sterrett from answering.

Then Mr. Tonahill asked: "Judge, would it be better for the image of Dallas if only 45 newsmen instead of 350 newsmen were allowed space in a courtroom to cover the Ruby trial?"

Asst. Dist. Atty. A. D. Jim

Bowie objected and Judge Sterrett was not allowed to answer that question either.

"Go on to something else," Judge Joe B. Brown urged Mr. Tonahill.

On cross-examination, Mr. Bowie asked Judge Sterrett if he was uncomfortable sitting in the witness chair.

"No, sir, I am not," answered the county judge.

"In fact, Judge, do you know of anyone except Mr. Tonahill who is uncomfortable?"

Judge Sterrett did not get to answer. Mr. Tonahill's objection was sustained by Judge Brown.

Earlier Mr. Tonahill asked Judge Brown if a window could be raised in the courtroom to let some air in.

Judge Brown directed Sheriff Bill Decker to open some windows.

Restless Eyes Hint Of Fear

Jack Ruby presents a stoic picture of relaxation as he sits in Judge Joe B. Brown's courtroom—but occasionally he flashes the opposite image of a frightened man.

His eyes dart back and forth, encompassing the courtroom whenever there is even the slightest sign of some commotion. Just a noise, and his head jerks toward it.

On one occasion Tuesday, Sheriff Bill Decker opened the rear doors to help generate a breeze through the stuffy courtroom.

Deputies moved the people that had been standing right at the doors. There were some shuffling noises, loud talking . . .

Ruby turned his head—startled. His eyes burned on the rear doors.

To the newsmen, sitting behind Ruby, there was a look of fear in his face.

It was several seconds before one of the most publicized defendants in the world was apparently satisfied that all was well behind him.

He turned back around and resumed the unemotional posture.

It was noted that Ruby was not the only one who turned around on that occasion, either. The three plainclothes deputy sheriffs who sit immediately behind Ruby—~~be-~~ face him and the door—also shot their heads around.

EXCITEMENT IN AIR

All Eyes Turned In Expectation Toward Monday

By JIM LEHRER
Staff Writer

Preparations for the trial of Jack Ruby were proceeding at a fast and furious pace Wednesday in Dallas—not Houston, San Antonio, Fort Worth or any other Texas city.

The pre-trial excitement and the belief that something is going to happen in Judge Joe B. Brown's courtroom next Monday are in the air.

With the change of venue hearings going into what may be its final day, the talk and the work

have already turned toward Monday.

Even Melvin Belli, head of the defense team which is working to move the trial away, adds to the climate.

"We'll go into hiding over the weekend in some secret place to get ready for Monday morning," he said at the conclusion of Tuesday's session.

GETTING READY

Everybody is getting ready.

Dist. Atty. Henry Wade and his staff are conferring with police officials and with witnesses who will be called in the state's case against Ruby, the man who shot Lee Harvey Oswald, accused assassin of President Kennedy.

Members of the national and international press, while going through the motions of covering the current hearing, have their eyes on Monday.

Life magazine, for instance, has rented the whole top floor of a downtown hotel for its trial team.

Representatives of network television, preparing to move huge technical and news staffs into Dallas are scrambling for places to set up live cameras in the courthouse.

NO LIVE TV

Judge Brown has ruled that no live television cameras will be allowed on the second floor of the courthouse. So the networks—NBC, CBS and ABC—are trying to spot other places on other floors.

"We're going to try and get as close to the courtroom as possible," said one network man who was handling the scouting assignment for his team.

Protests are already coming in on the press seating arrangements for the trial as set down by Judge Brown.

Many foreign newsmen, already in Dallas and set up to cover the trial, still don't have seats. They're here to cover the change of venue hearing and attempt to get trial seats.

Representatives of Houston daily papers and other newspapers in Texas have brought their grievances to Judge Brown. They are upset over a "pool" arrangement that will be necessary for the state press.

More than 350 requests were received for press space. Only 45 will be accommodated.

(Mount Clipping in Space Below)

Stanley Marcus, 3 Lawyers Dubious Ruby Can Receive Fair Trial in Dallas

Cabell Declines To Give Any Definite Judgment

By BOB FENLEY and JERRY RICHMOND, Staff Writers

A top Dallas businessman and three lawyers testified Tuesday of their doubts that Jack Ruby could receive a fair trial in Dallas for the slaying of Lee Harvey Oswald.

But former Mayor Earle Cabell, another witness at Tuesday's change-of-venue hearing, testified that he could not make a definite statement, one way or the other, as to whether a fair jury could be secured in Dallas.

Stanley Marcus, head of Neiman-Marcus, told the hearing that he had "grave reservations" whether Ruby could receive a fair trial here for the slaying of President Kennedy's accused assassin.

TOP CLIPPING

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6 FEB 1964

68 FEB 20 1964

(Indicate page, name of newspaper, city and state.)

1 "The Dallas
Times-Herald"
Dallas, Texas

Date: 2-11-64

Edition:

Author:

Editor: Felix R. McKnight

Title:

Character:

or

Classification:

Submitting Office: Dallas

☐ Being Investigated

NOT RECORDED

128 FEB 19 1964

Two Lawyers — Criminal Bar Association President Clayton Fowler and C. A. Droby — stated that if Ruby was their client, they would try to move the trial from Dallas.

Another attorney, Sam Donosky, testified that although it was possible for Ruby to get a fair hearing before a Dallas jury, Ruby would have an uphill battle in presenting his defense.

Rev. William A. Holmes, who received threats on his life when he made statements critical of Dallas' reaction to the assassination of President Kennedy, testified he thought Ruby could get a fair trial here.

"In my opinion, he can receive a fair trial in Dallas County," he said, emphasizing that this was his personal opinion.

The testimony in the second day of Ruby's change of venue hearing was offered to back up defense contentions that the atmosphere in Dallas — the city of the President's assassination — makes it impossible for Ruby to get a fair trial.

Tempers flared frequently throughout the morning as opposing attorneys clashed headon in the stuffy courtroom.

A shouting exchange marked the testimony of Ed Maher, car dealer and chairman of the board of managers of Dallas County Hospital District, over reports that Ruby was refused admission to Parkland Hospital for neuropsychiatric examinations.

Mr. Marcus — the first witness called by Ruby's attorneys Tuesday — halted defense attorney Melvin Belli in the midst of a question and said:

"I presume you are asking me if Ruby can get a fair trial in Dallas."

"That's the ultimate question," Mr. Belli replied.

"I have grave reservations as

to whether the defense or prosecution can get a fair trial here," Mr. Marcus said. He was the first witness to express doubts about whether Ruby could get a fair trial here.

Mr. Marcus said he did not think that the integrity of the people of Dallas is at question, but rather the unconscious feeling for the city's image.

Mr. Marcus also said he had reservations about where Ruby could get a fair trial, "but it would be more likely some other place than here."

LITTLE INDIFFERENCE

Mr. Belli asked the specialty store executive if it would be difficult to find anyone in Dallas County who was "indifferent" to the Ruby-Oswald case.

"I would think it would be difficult," Mr. Marcus answered.

In cross-examination Dist. Atty. Henry Wade sought to draw from Mr. Marcus a statement that the same feelings would exist in other cities in Texas.

"Texas doesn't take it as such a personal matter as Dallas," Mr. Marcus said.

Mr. Wade asked the Dallas merchant if it would be possible to find 12 jurors in Dallas County who could give Ruby a fair trial.

"You can find almost anything in one million people, but I think it would be most unlikely," Mr. Marcus said.

He added on cross-examination that he knew of no group of citizens who had banded together to prevent Ruby from receiving a fair trial in Dallas.

Clayton Fowler, president of the Dallas Criminal Bar Association, followed Mr. Marcus to the witness stand.

"PEOPLE OPINIONATED"

Attorney Fowler described the people of Dallas as "most highly opinionated" about the Oswald-Ruby cases.

"Most have opinions, one way or another, some mixed," he said. He added that people here seemed to be "very concerned" about the two slayings.

"I think they hold the two shootings synonymous," he said.

Under questioning, Mr. Fowler said: "I don't find any great feeling of guilt relative to the killing . . . I think 'sensitive' is the word."

Defense attorney Joe Tonahill asked Mr. Fowler if he had noted any expressions of feeling against Ruby in Dallas as a form of "atonement" because the accused assassin of President Kennedy could not be brought to trial.

"I have read that and heard it,"

Mr. Fowler replied.

Just prior to Mr. Fowler's testimony, Mr. Belli introduced editorials from both Dallas newspapers into evidence.

Mr. Fowler told the court that if he were Ruby's attorney, he also would seek a change of venue.

"If I were in your seat, Joe, I would move for a change of venue for many reasons. Your duty demands you do it," Mr. Fowler said to Mr. Tonahill.

PUBLIC RELATIONS FIRM

An argument developed between attorneys over the purposes of the public relations firm handling press arrangements for the Ruby trial.

Mr. Tonahill accused Asst. Dist. Atty. A. D. Bowie of making misleading statements in his cross-examination of Mr. Fowler.

Mr. Bowie had asked the witness if he had ever heard defense lawyers talking about the role of the public relations firm.

"Mr. Bowie is making a false impression that the public relations man was hired for the judge's image," said Mr. Tonahill jumping to his feet. "The real impression is the public relations firm was retained to seat those who are sympathetic to Dallas and exclude others."

Judge Brown halted the exchange.

"I'd like to make it plain that I did nothing to exclude any newsmen," the judge said.

The judge ordered Mr. Tonahill to sit down.

"WOULD BE DIFFICULT"

Mr. Fowler had testified that he thought it would be difficult to get a fair trial.

The defense attorney asked if Ruby would be more likely to get a fair trial 300 miles from Dallas.

"In my opinion distance would decimate feeling—there is a line somewhere where feeling would decrease," said Mr. Fowler.

Under cross-examination Mr. Fowler said during the 15 years he had practiced criminal law in Dallas he had never asked for a change of venue. He said he and the state had been able to get impartial juries.

TONAHILL OBJECTS

Prosecutor Bowie and defense lawyer Tonahill clashed toward the end of Mr. Fowler's testimony.

Mr. Fowler had just testified to seeing various television reports of Belli, Tonahill and Ruby—more than he had seen of the prosecutors.

"Did you also see the program where Belli and Tonahill were at the airport jesting about the public relations man?" asked Mr. Bowie.

Mr. Tonahill jumped to his feet and snapped: "Is there any dispute about this? What's in dispute?"

"Mr. Tonahill, take your seat," Judge Brown ordered.

The defense lawyer hammered again at the public relations issue, asking Mr. Fowler if he had ever heard of a judge using one.

"I never did," said Mr. Fowler.

"MUST BE MOVED"

Attorney Droby testified that he felt the trial must be moved because of the atmosphere in Dallas.

"Let me put it this way," he replied to a question by Sam Brodie, one of the defense lawyers. "If I was defending him I'd want it moved out of Dallas County..."

"From what I've heard it seems to be the consensus of opinion the only way Dallas could vindicate itself would be to convict Jack Ruby..."

"From what I've heard Jack Ruby must be convicted to clear Dallas' name..."

On cross-examination, Mr. Bowie asked the witness if he really felt Dallas people were so prejudiced.

"NOT PEOPLE'S FAULT"

"I think they are and it's not the people's fault," Mr. Droby replied.

Expanding on the remark, Mr. Droby said:

"Periodically there are statements in the press made by the Dallas Crime Commission and the Citizens Traffic Commission saying grand juries are no-billing too much and that the district attorney's office is not prosecuting."

"This has built an image in folks' minds making it difficult for a defense lawyer to try a case."

Mr. Droby said he went to the police station shortly after Ruby shot Oswald. He said he had represented Ruby on previous occasions and would have represented him on the murder charge if he had been asked.

Mr. Donosky testified he thought the people of Dallas were "under the gun" and that Ruby is going to "have a harder uphill climb" if the trial is held in Dallas.

"AN UNDUE BURDEN"

He said that although he thought it possible for Ruby to get a fair trial, Ruby would face "an undue burden" in Dallas.

The lawyer testified that he thought the city had been "besmirched" and added: "I feel he is going to have a harder hill to climb."

Mr. Donosky was asked by defense attorney Phil Burleson if he thought Mr. Wade had any reason for wanting to keep the trial here and he replied, "I feel sure he has no motive, but he's a good law enforcement man trying to do his job."

The attorney testified he thought the people of Dallas wanted to get themselves "out from under the spotlight."

Under cross-examination by Mr. Bowie, Mr. Donosky said that he had met Ruby's sister and brother in his office about three weeks ago and he said he discussed his opinion at that time.

"DIDN'T SAY THAT"

Mr. Bowie then asked: "Do you think, for the sake of Dallas' image, 12 people will sentence Ruby to the electric chair, even if they think him innocent?"

The witness replied, "No, I didn't say that. I just repeat I think he'll have an uphill climb."

Mr. Donosky also testified that he thought the unconscious protection of Dallas' image might "leak into a jury box" to affect the range of punishment if Ruby is found guilty.

While Mr. Cabell said there was some "civil resentment" against Ruby, he said he could make no definite statement on whether Ruby could receive a fair trial here.

"Could a fair and impartial jury be found in Dallas?" he was asked.

"I couldn't answer that."

tion) with any judgment," said the former mayor.

ON THE DEFENSIVE

The mayor said he knew of no other city in Texas that had received the criticism which Dallas has as a result of the Oswald-Ruby case and prior events.

"Is Dallas on the defensive right now?" Mr. Belli asked.

"Yes, I think that's right," said Mr. Cabell.

The congressional candidate then said he did not believe it would be a reflection on the city of Dallas if the trial were moved.

There was no cross-examination of Mr. Cabell.

MARCUS DUBIOUS

Mr. Maher preceded Mr. Cabell on the stand. Questions asked him touched off a shouting match between attorneys.

The dispute arose when Mr. Wade complained that Mr. Maher, asked whether he was a member of the "establishment," was not allowed to finish his answer.

Mr. Belli shouted that it was up to the judge. The district attorney replied, "We'd like him to finish."

Mr. Belli retorted, "He's (Wade) louder than I am."

HOSPITAL QUESTION

Mr. Maher was asked if he had refused to admit Ruby to the hospital as depicted in a story by Dallas News reporter Carl Freund.

Mr. Maher replied, "That is not correct."

Mr. Belli then asked whether Parkland Hospital had electroencephalographic equipment.

"Yes, sir," Mr. Maher replied. Judge Brown upheld state objections to the questions.

"ANOTHER FALSE STORY"

Mr. Belli declared, "This story, characterizing my client as such a heinous character . . . now we find it's another false story by this person Freund. The question is, if he was not taken in, how can we expect to have a fair trial in Dallas?"

The San Francisco attorney then asked, "Did you talk to the district attorney about this?"

Judge Brown said immediately, "This has no bearing on the case."

Mr. Belli complained about not being able to examine the witness on the point of refusal of admittance to the hospital and the witness was excused.

BALKED MONDAY

Earlier, Ruby's lawyers, who had balked Monday by their own witnesses in trying to prove Dallas would be unfair to their client, estimated their presentation for a change of venue would be wrapped up by Wednesday night.

Mr. Belli said he thought the defense case will have been made substantially by that time.

But none of the defense attorneys would say they wouldn't call the more than 170 witnesses still under subpoena. Seven witnesses appeared Monday and, at that rate, it would take more than three weeks to present them all. Mr. Tonahill said Monday all would be called if necessary.

Judge Brown said Tuesday morning that if it appears the hearing can be concluded on Wednesday, he will probably call a night session Tuesday night.

"I have the power to prevent cumulative evidence," the judge said. "But if the attorneys present new testimony the decision when to cut off the hearing is up to them."

The judge said he had spent part of last night reading evidence, including newspaper articles offered by the defense Monday. He said he concluded the hearing will end by the end of the week at the latest.

RUBY FEELING WELL

Ruby, smiling and nodding to reporters, was escorted to the courtroom for the second day of the hearing at 8 a.m. Tuesday.

To a reporter who asked how he felt, Ruby smiled and replied, "Very well, thank you."

None of Monday's seven witnesses testified that the defendant couldn't get a fair trial in Dallas County. Defense questioners tried mightily to wring from some of them an opinion that residents of Dallas would be less "indifferent" to the case than those of other cities, but were largely unsuccessful.

Ruby himself sat quietly in the hot, muggy courtroom listening to the tedium of questioning.

TEMPERS FLARE

Temper ignited often in the oven-like atmosphere. Judge Brown, presumably sweltering in his black robe, threatened to clear the courtroom after an outburst of laughter during the afternoon.

"Henry, who knows what a fair trial is?" asked veteran crime reporter Harry McCormick when queried by District Atty. Henry Wade on cross-examination Monday afternoon.

Mr. McCormick, of the Dallas Morning News, said he thought "you can get an unbiased jury here," however.

WOULDN'T BUDGE

Defense attorney Tom Howard tried to unseat McCormick from that opinion.

"Harry, don't you figure we would most likely get a fair, impartial, indifferent jury in any other place in Texas?" asked Howard.

Saying he couldn't answer for the matter of indifference, the witness replied, however, "I would say there would be little difference."

Also testifying were Oak Cliff Tribune Editor Ray Zauber and Houston Post reporter Lonnie Hudkins. Both said they thought Ruby could get a fair trial here.

PROXIMITY TO SCENE

Court bailiff W. W. Mabra, who serves in Judge Brown's court, was asked to describe the proximity of the jury room in the court to the place where President Kennedy was assassinated.

The prosecution's objections were upheld when defense attorney Burleson asked the bailiff if the jury would not "deliberate the case in a room from which they can see the spot where the President was assassinated?"

Mr. Mabra had testified that from a window in the jury room a spot 50 yards from the assassination scene was clearly visible to jurors.

Mr. Hudkins testified that Houston papers had covered the Ruby story in as great detail as the Dallas papers. One of the defense contentions that Ruby cannot get a fair trial in Dallas is based on the widespread newspaper and radio-TV coverage of the case.

"ABOUT THE SAME"

On cross examination, Mr. Hudkins testified that Ruby and the state could "get about the same" trial in Dallas he could in Houston.

Justice of the Peace ~~McBride~~ testified that rumors had been widespread since the Nov. 24, 1963, slaying of Oswald, and "every living adult wanted to be a detective."

Justice McBride, a former reporter for 25 years, said he could not serve as a juror because he had personal knowledge of some aspects in the case.

Although he said he knew of "no combination of citizens attempting to prevent a fair trial," he added: "The only way to find out if Ruby can get a fair trial here is try to get a jury and find out."

PAPERS BROUGHT IN

Late in the hearing Monday Dallas' two daily newspaper circulation managers brought in huge bundles of back issues of the papers. Dean Campbell of The Times Herald and Sol Katz of the Dallas Morning News were not required to testify. The papers, which were published from Nov. 22, 1963, through Monday, were marked by the defense and entered as evidence.

JOURNALISTIC LICENSE

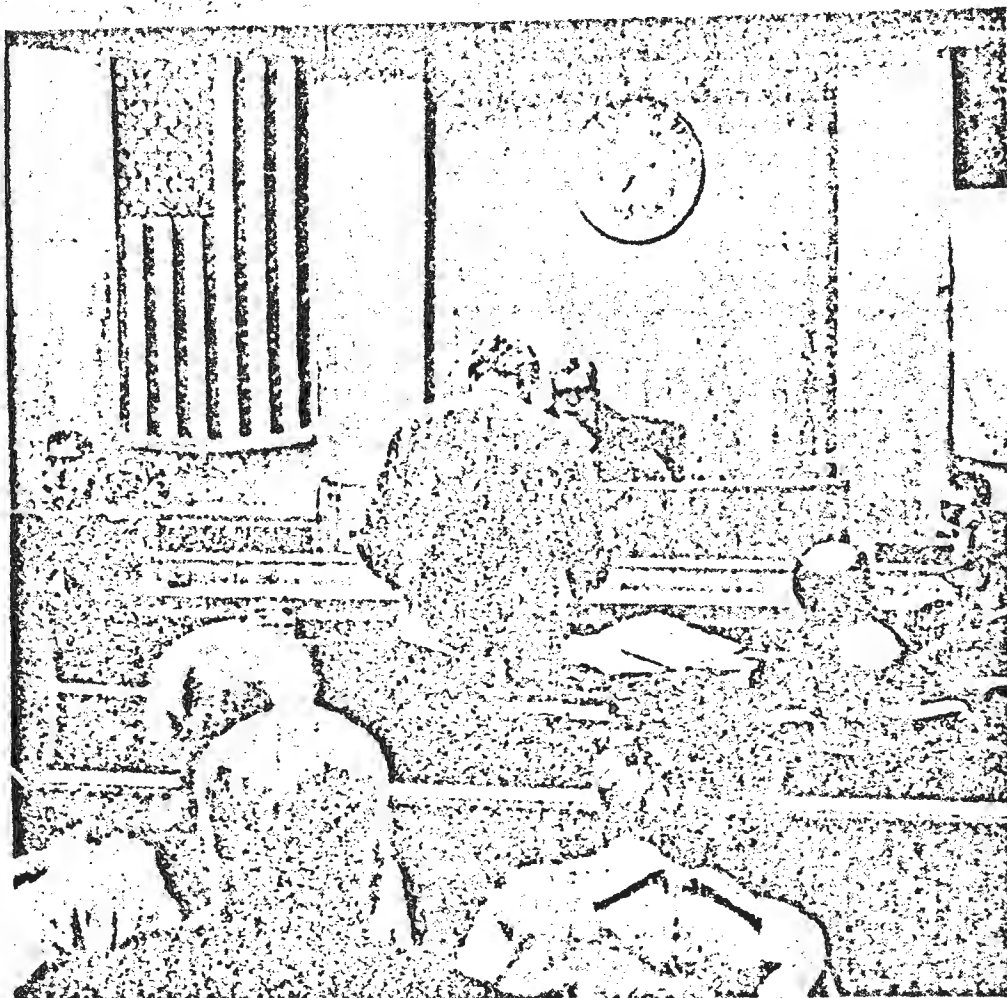
The first afternoon witness Monday was Mr. Zauber, editor and publisher of the Oak Cliff Tribune, who admitted that articles in his bi-weekly newspaper purportedly written by a "top law enforcement official" really were done by himself from a collection of statements by various officials including those from the Irving Police Department, a constable's office, and the district attorney's office.

"I took a little journalistic license," said Mr. Zauber.

Mr. Zauber was questioned intensively by Mr. Belli about an Oak Cliff Tribune article which quoted Dist. Atty. Wade as saying soon after the November week-end he didn't think Ruby could get a fair trial until about the middle of February.

"We're still not at that place where we could get a fair trial (according to Wade)," commented Mr. Belli.

Mr. Zauber testified, however, he ~~thought~~ the defendant could get a fair trial in Dallas.



EDITOR TESTIFIES—The editor of The Times Herald's editorial page, A. C. Greene, on the witness stand at the left of the picture, is questioned by attorney Melvin Belli, standing back to the camera, at the Jack Ruby change of venue hearing. Ruby is sitting immediately to the right of Belli. The photograph was taken through an open courtroom door because cameras are banned in the courtroom.—Staff Photo by Andy Hanson.



—Staff Photos

Jack Ruby waves at newsmen outside courtroom.

2 Ex-Ruby Clubs Denied Licenses

County Judge Lew Sterrett refused Tuesday to grant beer licenses to two nightclubs with which Jack Ruby was formerly associated.

The refusal involved the Big D Copa, formerly the Carousel, at 1312½ Commerce, and the Vegas Club, 208 Oak Lawn.

Judge Sterrett took the action in an administrative hearing after Inspector Joe Nelms of the Texas Liquor Control Board testified that cases are pending before the board in Austin charging Ruby with not being a peaceful, law-abiding citizen.

Dallas police did not object to granting of the licenses.

Mrs. Dolores Nolley, president of the Nolley Corp., told the judge she had purchased the Vegas Club from Ruby and Mrs. Eva Grant, his sister, and that Ruby was no longer associated with the night club.

Her attorney, Burt Barr, filed notice of appeal of Judge Sterrett's refusal to grant the license.

Listed as officers of the Nolley Corp., along with Mrs. Nolley,

were Bob Young, vice president, and J. A. Knox, secretary.

Ralph Paul, president of the S&R Corp. which sought the license renewal for the Big D Copa, told the hearing that Ruby was not among the owners of the old Carousel. He said Ruby acted only as manager of the downtown nightspot.

Officials of the S&R Corp. listed in the application were Mr. Paul, S. D. Ruby, Jack Ruby's brother, vice president; and Leo Torti, secretary-treasurer.

License of the Big D Copa expires March 8. The license for the Vegas Club expires May 3.

Mr. Nelms said the licenses cannot be granted until the pending cases are resolved. He said they have not yet been docketed for a hearing date at Austin.



STANLEY MARCUS
"Grave Reservations"

CLAYTON FOWLER
"Most Have Opinions"

IN THE RING

State vs. Ruby? It's Wade, Belli

By JIM LEHRER
Staff Writer

The official indictment reads: "The State of Texas versus Jack Ruby," but in the courtroom, the big battle appeared to be between Henry Wade and Melvin Belli.

Nobody who sits in Judge Joe B. Brown's hot, stuffy courtroom can help feeling the excitement, the electricity of combat that exists between these two men.

Mr. Wade for the prosecution and Mr. Belli for the defense were at it from the beginning Monday.

As the change of venue hearing for Ruby, the man who shot accused presidential assassin Lee Harvey Oswald, went into its second day Tuesday, more spirited clashes—and subtle in-fights—occurred.

THE TEST

The first skirmish Tuesday came over whether Ruby was offered a lie detector test—and refused it.

The stage was set by a question by Asst. Dist. Atty. A. E. (Jim) Bowie to Dallas Criminal

Bar President Clayton Fowler, the second witness called, as to whether he had ever heard about the offer-refusal.

Mr. Fowler never got a chance to answer. Defense attorney Joe Tonahill objected loudly, claiming the question was not based on fact.

"We have the man right here in the courtroom who offered it to him," retorted Mr. Wade, rising to Mr. Bowie's side.

Then, Mr. Belli popped up to join the battle—all four lawyers speaking at the same time.

The two lead counsels came to the assistance of their respective associates on another occasion when a dispute erupted over testimony given by C. A. Droby, chairman of the board of the Dallas Criminal Bar Association.

The argument was over Mr. Droby's reference to Ruby having "two strikes against him anywhere in Texas, but three strikes against him in Dallas."

After Mr. Tonahill objected to Mr. Bowie's rephrasing of earlier testimony in cross-examination of Mr. Droby, the district attorney snapped:

"We're cross-examining!"

"Well, we're correcting the record," Mr. Belli snapped right back.

PUBLIC RELATIONS

There was also some heated discussion about the role of Sam Bloom, Dallas public relations man handling press relations for the Ruby hearing and trial.

The district attorney, asking a witness Monday about a series of autobiographical newspaper articles published under Ruby's name, said the stories were "worked up by Ruby's lawyers."

Mr. Belli jumped to his feet. He accused his adversary of uttering a "deliberate lie" and then added the word "irresponsible."

Mr. Wade, ignoring the accusation, merely rephrased his question, pointedly leaving out any reference to the defendant's lawyers.

The fighting—smooth sarcasm, adroit criticism, clever innuendo—was waged also by the other three lawyers on each man's staff.

Mr. Tonahill said the district attorney was trying to "gag" the defense, putting it even more colorfully on another occasion by accusing the prosecution of attempting to "cut off our tongues and the court's ears."

Mr. Bowie and Bill Alexander, another assistant district attorney, caused most of the wrath throughout the day with their objections to questions on grounds of immateriality.

"That has nothing to do with this change of venue question," the prosecution said repeatedly.

"It has everything to do with it," the defense answered time and time again.

Judge Brown cautioned the attorneys to be more temperate.

"Let's cut out the sidebar remarks," he said on one occasion to Mr. Belli. "I don't want to hold anyone in contempt, but I assure you I will."

And all was quiet—for awhile.

(Mount Clipping in Space Below)

Ruby Defense Frustrated at Opening Venue Hearing Witnesses Cool

By LEWIS HARRIS and HUGH AYNESWORTH

Defense attorneys failed Monday to get any of the first day's witnesses in a change of venue hearing to agree with the defense contention that Jack Ruby can not get a fair Dallas trial.

The defense hammered away at efforts to prove Dallas is still cringing from a label as "the city of assassins."

Consequently, they argued, testimony will show that Ruby could not receive an impartial trial because the citizenry is too concerned with brightening a tarnished image.

Other developments during the hearing included:

—Judge Joe B. Brown denied a defense motion seeking to force the prosecution to turn over its documentary evidence, such as Federal Bureau of Investigation reports, for defense scrutiny.

—The defense charged that one of its briefcases had been tampered with, and its contents shuffled about.

—Opposing lawyers became so vitriolic that Judge Brown warned that "while I don't want to hold anybody in contempt, I will do just that if there is not more courtesy from both sides."

Only Seven Called

Only seven persons from an extremely long list of witnesses were called in Monday's session on the motion to have the trial moved from Dallas.

The defense has summoned 176 witnesses for the hearing. They include top business, civic and religious leaders.

As the hearing dragged, those witnesses who had gathered in a sixth floor courthouse room were released subject to call on 30 minutes notice.

Dr. Fredrick Carney, 39-year-old associate professor of Christian ethics of the Perkins School of Theology, was the lead-off witness. He testified about a paper he had written for a religious magazine on the "Crisis of Conscience in Dallas."

He said the article was the result of interviews and research following President Kennedy's assassination, and Jack Ruby's execution of the accused assassin, Lee Harvey Oswald.

(Indicate page, name of newspaper, city and state.)

1 "The Dallas
Morning News"
Dallas, Texas

Date: 2-11-64

Edition:

Author:

Editor: Jack B. Krueger

Title:

Character:

or

Classification:

Submitting Office: Dallas

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'Tortured City' Seen

Dr. Carney said his findings reflected a "tortured city." He said the crisis was whether or not the city was or was not going to make a searching examination of itself in light of the assassination.

Defense attorneys referred frequently to what Dr. Carney called the "Dallas oligarchy"—a term which they said was predicated on the work of the Dallas Citizens Council.

The council is an organization of about 250 top executives who exert influence on the city's cultural and economic affairs.

Dr. Carney agreed that the oligarchy was "very much perplexed at first over how to explain how such a tragedy could happen in Dallas."

The professor said that "considerable intolerance" existed in Dallas before Nov. 22, the assassination date. He said there was ready evidence of "right-wing hate groups."

Objections kept Dr. Carney from answering defense attorney Joe Tonahill's question as to whether the oligarchy had attempted to do anything about these situations.

'Unfortunate' Conditions

However, he said the conditions had "existed for several years, and only recently were adjudged unfortunate."

But the "oligarchy did not create them," he added.

Dr. Carney agreed with defense arguments that the city has decided that "it is not directly responsible for the assassination events, and that everything will be done to defend its image."

Despite all this, Dr. Carney concluded, he does not "see any reason why Jack Ruby could not now receive a fair trial in Dallas."

Harry McCormick, for 27 years a Dallas News reporter, said he saw no reason why Ruby could not get a fair trial in Dallas.

He called the happenings of Nov. 22-24 "a national tragedy, not one just in Dallas."

Asked if he thought a jury of 12 could be picked that had not heard or read about the case, McCormick said: "Not any place in the United States."

Question for McCormick

McCormick—for many years one of the area's top crime reporters—hedged a bit when Dist. Atty. Henry Wade asked him if he thought Ruby could get a fair trial.

"Henry, who knows what a fair trial is?"

He added: "If you mean do I think you can get an unbiased jury here, yes."

Justice of the Peace Pierce McBride, a judge for more than 15 years and a newspaperman before that, said many people he had talked with in recent weeks had many questions about the overall tragedy.

"Everybody living of adult age has played amateur detective on this case . . . tried to figure out all the angles . . . I've done it myself," McBride said.

The judge said that "most of the inquiries concerned why Ruby killed Oswald, not whether he did it or not."

Defense attorney Tom Howard asked McBride if he had ever seen a case where a judge had a "press agent" to help accommodate the press.

'No Precedent' for Case

"There is no precedent for this type murder case," McBride said, "and I personally think the judge is thoroughly justified in this."

Wade asked McBride if he could serve on a jury in the Ruby trial without bias. McBride said he felt he knew too much about happenings and should be excluded because of this.

"Do you think that anyone who saw the thing on TV should be excluded too?" fired Howard.

Prosecution objection was sustained.

Asked by Wade if a fair and impartial jury could be found in Dallas County, McBride said, "I don't think there's but one way to find that out—and that's to try to get one."

Lonnie Hudkins, Houston Post reporter and former Dallas newspaperman, was queried as to the source of a Jan. 1 story he wrote in the Post implying that Oswald was possibly an FBI stool pigeon.

Hudkins said he had talked with Wade and Assistant Dist. Atty. Bill Alexander, but denied they told him of the FBI rumor.

Tonahill Angered

Tonahill—angry after several objections and sustainments, by Brown—jumped to his feet and exclaimed: "It's obvious the district attorney and his staff are sensitive about all this and I'd like to find out why."

Brown moved the questioning on and Wade asked Hudkins if he thought a fair trial could be had in Dallas. He replied, "Yes."

"As fair and impartial as in Houston?" Wade asked.

"About the same," said the Houston reporter.

Last witness of the day was Deputy Sheriff W. W. Mabra, who has worked as a bailiff in the hearing courtroom since 1955.

Defense Attorney Phil Burleson questioned Mabra about the phys-

ical layout of the trial quarters, particularly the jury deliberation room.

Mabra said jurors could look out the two windows and see Dealey Plaza, about 50 yards from where the President was shot and approximately 100 yards from the point where the assassin fired.

Burleson tried to get Mabra to say that the jurors — "as they weigh this man's fate"—would be able to see the actual spot of the assassination.

"No sir," Mabra said, "you can't see that. You'd have to get out on that roof to see it."

Papers Introduced

Circulation directors of The Dallas News and Dallas Times Herald, Sol Katz and Dean Campbell respectively, made appearances before the court as they brought forth scores of back issues of their papers. They were not sworn in as witnesses, however.

A. C. Greene, editor of the Dallas Times Herald editorial page, was called to explain why he had written an editorial that "Dallas is on trial" in the Ruby case.

Greene said he felt the community "is under heavy scrutiny—that it should be careful about what it does and says during these times."

He said that he felt, too, that "there is an inclination among certain people to act as if certain things never happened here."

His editorial was intended to call "for individual integrity." Greene also concluded that he felt that it is both probable and possible to get a fair-minded Dallas jury to hear Ruby's case.

Another newspaperman, Ray Zauber, editor and publisher of the Oak Cliff Tribune, was called to testify about articles in that publication.

No Data on Articles

He said that he had "no information" to confirm any Communist connection by Ruby or Oswald, or any connection between the two men themselves.

Some of the articles dwelled on these possibilities.

Zauber agreed with defense inferences "that concern with the city's image complicates the situation," but said that he feels "Ruby can come as near getting a fair trial in Dallas as anywhere."

Judge Brown's contempt warning came when hot words began to fly among attorneys and the judge over what procedure should be followed in producing exhibits of newspaper, magazine and related evidence.

Chief defense lawyer Melvin Belli contended he should be allowed to read pertinent parts of the exhibits. Assistant Dist. Atty. Jim Bowie argued that the entire exhibits should be entered without any reading.

Judge Brown sustained Bowie's objections, saying it would take 25 years if all the exhibits were read. Belli shot back, "If it takes that long to keep this man from being hanged, then I am ready to remain here that long."

Belli then asked, "When does the court plan to read these articles? The court can't absorb them by judicial osmosis."

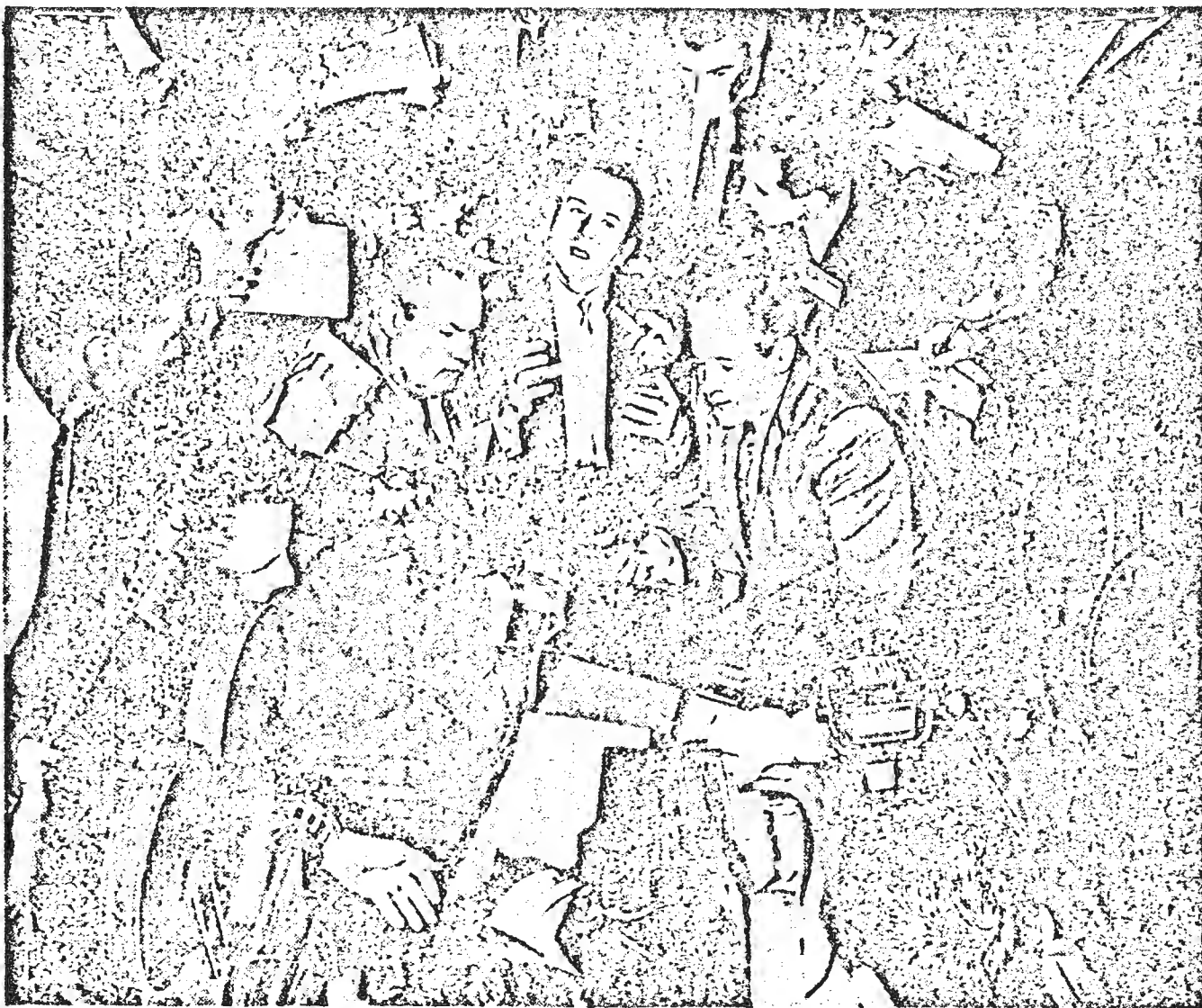
Belli eventually was allowed to read excerpts from the exhibits.

They included headlines such as "Dallas on Trial in Venue Hearing," and magazine articles referring to Dallas' defense of its image.

The briefcase episode occurred in defense lawyer Roy Schafer's hotel room, Belli explained. He said the briefcase had been opened and its papers were found rearranged—but that nothing was missing.

Ruby's trial is now scheduled to begin Monday. Some 900 prospective jurors have been selected.

The change of venue hearing is expected to last most of this week.



—Dallas News Staff Photo by Tom Dillard.

Jack Ruby, framed by microphones, tells newspapermen how he was inspired by reading the Bible with a friend in his cell. Ruby, a Jew, said his unidenti-

fied friend is a Protestant who studied for the ministry. Left of Ruby is defense lawyer Joe Tonahill. At right is defense attorney Melvin Belli.

JUDGE QUICK

Tempers Erupt; Hard Words Fly

By KENT BIFFLE

A defense lawyer accused the district attorney of lying.

A witness on the stand bawled out a defense attorney.

Another defense lawyer told the judge he couldn't ingest evidence "by judicial osmosis."

At one point the judge threatened to clear the courtroom.

And Round No. 1 of the hard-fought hearing on the question of moving Jack Ruby's trial unreeling in Dallas Monday.

Judge Joe B. Brown of Criminal District Court No. 3 held a tight rein on tempers in the overheated courtroom.

But nobody expects to find harmony in a courtroom.

When Dist. Atty. Henry Wade referred to a story in the Houston Chronicle as one that "Ruby's attorneys got together," chief defense counsel Melvin Belli shot to his feet:

"That's a deliberate lie. Your Honor—if fires are going to spring up from irresponsible people, we're going to have to try to put them out!"

The story purported to be a first-person account by Jack Ruby of the killing of Lee Harvey Oswald in the Dallas police station.

Later, outside the courtroom, Wade said, "I don't know for sure whether they (the defense lawyers) wrote it or not. But I do know that the man who claimed to have written it (William Read Woodfield) was never in the jail to see Ruby."

While Dr. Frederick Carney, associate professor of Christian ethics at Southern Methodist University, was on the stand as a defense witness, he rapped methods of defense lawyer Joe Tonahill.

Tonahill was questioning the educator about a report he had written. The report on the mood of Dallas following the assassination had found limited circulation.

After several dozen questions from Tonahill, Carney, his face getting rosy, erupted:

"Time after time you have put to me statements from my article for which I take responsibility. But you've also put to me judgments for which I do not take responsibility!"

When Judge Brown refused to allow Belli to read in the courtroom stacks of magazine and newspaper stories to be entered as exhibits, Belli told the judge he couldn't possibly absorb the material "by judicial osmosis."

The judge's brows knitted as he assured Belli that the bench would consider all the exhibits.

Ruby Says He's 'Changed Man'

Jack Ruby told reporters Monday he felt he was a changed man. Ross message — via telephone from New York.

In a breaking voice, he related that his reading of the Bible in the county jail had offered him a new outlook.

"I'm trying my best to forget the things I was involved with on the outside," he said, tears welling in his eyes.

He said he had found a friend—unnamed, but a Protestant—who had offered him considerable inspiration in the last few weeks.

"I have learned that people can live and believe in and have faith in the very same God," he said as reporters crowded around.

Two of his attorneys, Joe Tonahill and Melvin Belli, flanked him during the short "before business" interview in Judge Joe B. Brown's courtroom.

Ruby seemed proud to relate that he had received a message from Barney Ross, the former boxing champion who long had been one of Ruby's idols.

Ruby said his sister, Mrs. Eva Grant of Dallas, received the

"He said he would rather be in here than me," Ruby said.

Ruby — as he has every other public utterance — praised Sheriff Bill Decker as "a great human being." He said further about Decker, "I consider him my friend and I hope he accepts me as his friend."

In a "personal" story supposedly written by Ruby through William Read Woodfield of Studio City, Calif., Ruby said his ultimate goal in Dallas was "to become the high sheriff."

"I've been feeling well," Ruby said. He said also he had been exercising daily — doing pushups and situps. He said he had gained some weight since being in jail.

He sat stonefaced throughout most of the day's dry testimony—except for a few times when he smiled.

Before he talked with the score of reporters, attorney Belli warned Ruby: "Follow the example of a groundhog . . . just give your name, rank and serial number."

Belli obviously was miffed by Judge Brown's warning that attorneys should not discuss the case outside the courtroom.

"We're singularly and collectively supposed to observe Groundhog Day," he said an hour later, "supposed to get in a hole and stay there."

Tonahill, in reply to a reporter's question concerning the hearing's tedious first day, said: "If you think this is tedious, wait until we begin selection of the jury."

Belli said the change-of-venue hearing should be over by Wednesday night. "Of course that depends on Judge Brown," he quickly added.

Sheriff Decker said approximately 140 subpoenas had been served for this hearing. Some of those the defense tried to get have not been found.

"We'll serve them all," Decker said, "I'm sure nobody's trying to avoid it."

2 More Witnesses To Go Before Body

By HARRY McCORMICK

At least two more Dallas witnesses with testimony regarding the assassination of President Kennedy may be called to appear before the Warren Commission in Washington, The Dallas News learned Monday.

They are Eddie Piper, a janitor at the Texas School Book Depository, and Arnold Louis Roland, a former Adamson High School student.

Piper has told authorities that he saw Lee Harvey Oswald, the accused assassin, on the stairway of the fourth floor of the depository building shortly before President Kennedy was shot on Nov. 22.

"Oswald told me he was going upstairs to eat lunch," Piper said.

Portions of a lunch and a soft drink bottle were found near the sixth floor window of the depository where the assassin aimed his shots at the President.

Roland and his wife, Barbara, said they were standing near the Criminal Courts Building at the time of the assassination watching the Presidential motorcade.

Roland spotted a man in the sixth floor window of the depository building and told his wife. However, she did not get a distinct view of the man.

"He had dark hair, was slender and nice-looking," Roland told authorities. "He held a rifle in his

hand. He wore a light-colored shirt or jacket."

When Roland told his wife what he saw, he said she replied that the rifleman was probably a Secret Service man.

Roland did not see the shots fired, he told authorities. Nor would authorities say if he had identified the rifleman as Oswald.

The statements by Piper and Roland are in the possession of the FBI, Secret Service, and Dallas police department officers, who took their testimony.

Oswald's widow, Mrs. Oswald, appeared before the Warren Commission last week, returning to her home in Dallas Saturday.

His mother, Mrs. Marguerite Oswald of Fort Worth, testified before the commission Monday and is scheduled to appear again Tuesday.

Beer Permit Case Also Involves Ruby

Not all Jack Ruby's troubles are centered in Judge Joe B. Brown's Criminal District Court where a change of venue hearing is underway seeking to move his murder trial out of Dallas.

Ruby also will be a central figure — although he will not be present — when two Dallas night clubs attempt to obtain new beer and wine licenses Tuesday morning.

County Judge Lew Sterrett will hold hearings at 9 a.m. on the license applications for the Vegas Club, formerly owned by Ruby, and the Big D Copa, formerly the Carousel Club owned by the S&R Corp., of which Ruby was vice-president and manager.

Judge Sterrett refused to renew the clubs' present licenses Jan. 28 because they listed Ruby as an owner or officer.

Dallas police have filed a protest against the issuance of a new license to the Vegas Club, which has been closed since the city revoked its dancing permit early in January.

Police officials are expected to appear at Tuesday morning's hearings to argue their complaint against the club and to present a protest against the Big D Copa.

The State Liquor Control Board also is expected to join in the protests. Inspector Joe Nelms is scheduled to be at the hearings to argue that the licenses should not be issued until pending hearings before the board in Austin are completed.

Ruby has been charged with "not being a peaceful, law-abiding

citizen" as required by the board for holders of all liquor permits, James E. Dale, Dallas district manager for the board, said Monday.

He said the charges are based solely on Ruby's slaying of accused presidential assassin Lee Harvey Oswald here Nov. 24.

Dale explained that even though Ruby's name does not appear on either of the new applications for beer licenses, the board can legally hold up the issuance of the permits pending the outcome of the hearings.

The application for the Vegas Club lists the Nolley Corp. as owners with Mrs. Dolores Nolley as president; Bob Young as vice-president and J. A. Knox as secretary. All are residents of Mesquite.

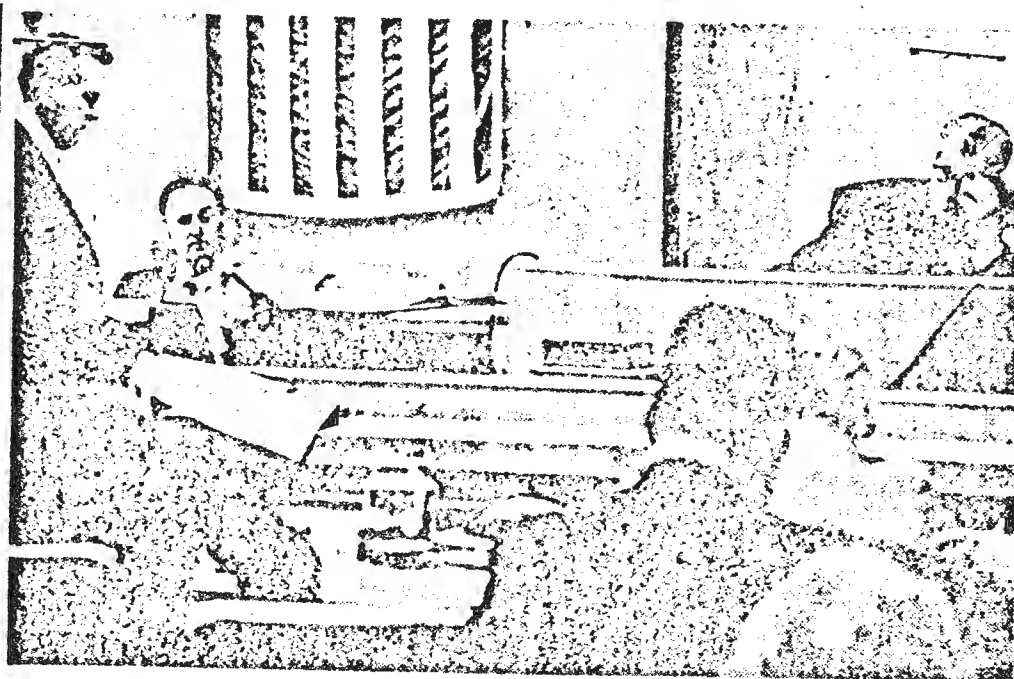
The S&R Corp., filing the application for the Big D Copa, listed Ralph Paul as president; S. D. Ruby, Jack Ruby's brother, as vice-president, and Leo Torti as secretary-treasurer.

The fact that Ruby is being held without bond in the Dallas County jail may have some effect on the hearings of the board in Austin.

"The administrator could hold the hearings without Ruby being present," Dale explained. "But they probably would withhold a decision until after his murder trial."

"Or, if Ruby requested it, the hearings could be postponed."

Either way, if Judge Sterrett denies the licenses until after the hearings, it could be many weeks or months before new licenses could be issued.



—Associated Press Photo by Ferd Kaufman.

RUBY HEARING

Although Judge Joe B. Brown, on the bench, ordered all cameras removed, this photo was shot when doors were opened to ventilate the courtroom.

On the stand, at left, is Oak Cliff Tribune Editor Ray Zauber. Standing at left is Phil Burleson, a lawyer for accused slayer Jack Ruby.

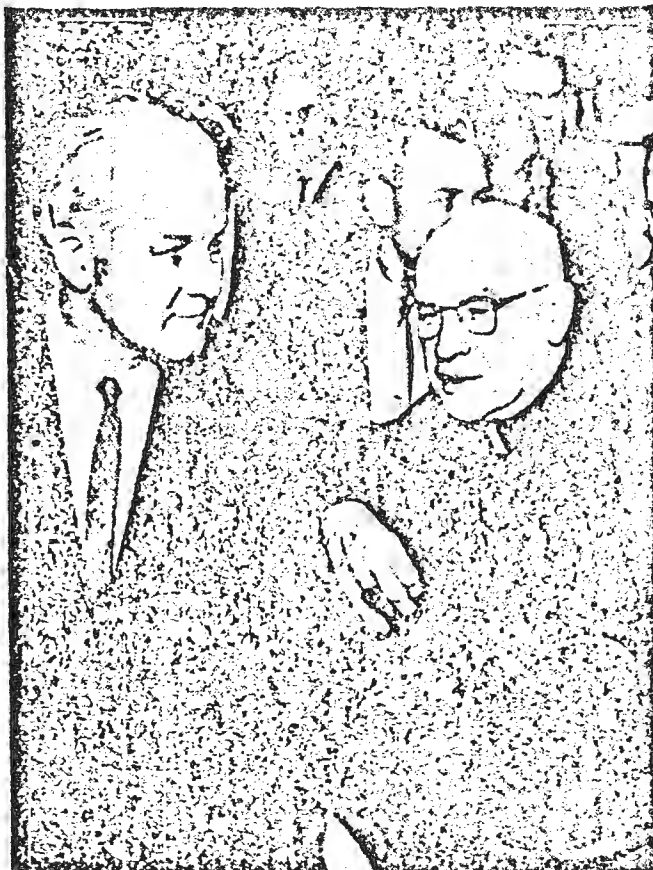


—Dallas News Staff Photo.

WITNESSES DEPART

Most of the army of witnesses, including many civic leaders, called for the Jack Ruby hearing Monday did not get to testify. Here, half an hour after

reporting to court, the group is allowed to leave after giving court officials telephone numbers where they could be reached on half an hour notice.



—Dallas News Staff Photo.

SUBPOENAED WITNESSES

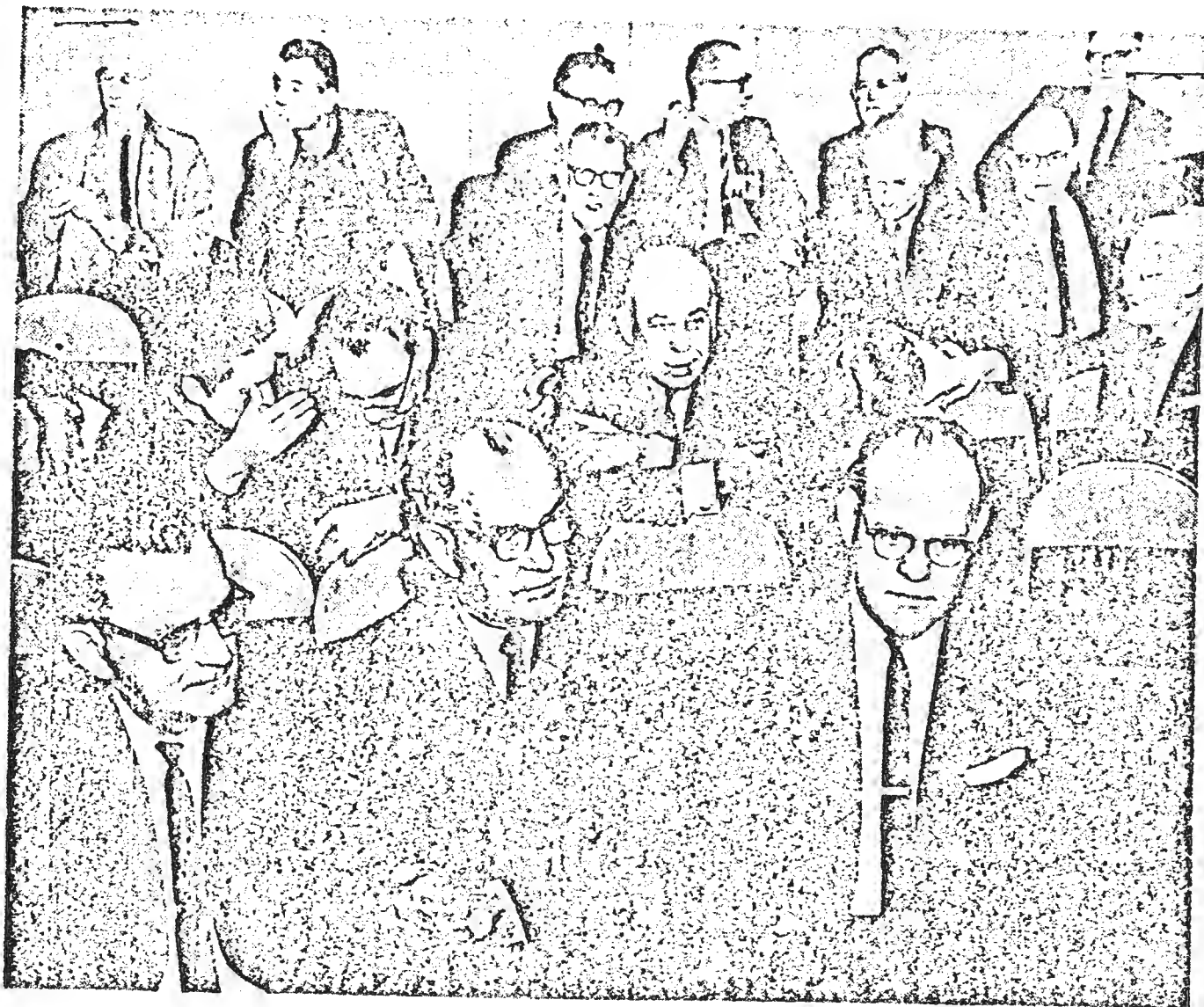
Dr. Willis Tate, Southern Methodist University president, left, talks with Catholic Bishop Thomas Gorman as the pair wait to be called as witnesses in the Jack Ruby hearing Monday. The hearing will be resumed at 9:15 a.m. Tuesday.



—Dallas News Staff Photo.

MOUNTING EVIDENCE

Deputy Sheriff Ted Lachenmayer stands by a stack of newspapers expected to be entered as exhibits in the Jack Ruby venue hearing. Ruby's attorneys are trying to get the case moved.



—Dallas News Staff Photo.

WITNESSES WAITING TO BE CALLED

Waiting to be called in the Jack Ruby hearing are, from left in the front row: Police Capt. O. A. Jones, Deputy Police Chief M. W. Stevenson and Police Chief Jesse Curry. In the second row are Helen Hankins, Sam Bloom, Stanley Marcus, Maurice

Levy (back of head) and J. Howard Payne. In the third row are former Mayor Earle Cabell, Dick West and Sol Katz. In the back row, third from left, is County Judge Lew Sterrett with Lonnie Hudkins to his left. Others are unidentified.



—Dallas News Staff Photo.

JUDGE INTERVIEWED

Judge Joe B. Brown of Criminal District Court No. 3 is interviewed

Monday as he enters the courtroom for the Jack Ruby hearing.

Tolson _____
 Belmont _____
 Mohr _____
 Casper _____
 Callahan _____
 Conrad _____
 DeLoach _____
 Evans _____
 Gale _____
 Rosen _____
 Sullivan _____
 Tavel _____
 Trotter _____
 Tele. Room _____
 Holmes _____
 Gandy _____

UPI-71

(RUBY)

DALLAS--THE PRESIDENT OF THE FAMED NEIMAN-MARCUS STORE AND THE HEAD OF THE DALLAS CRIMINAL BAR ASSOCIATION SAID TODAY THE "ODDS ARE AGAINST" JACK RUBY GETTING A FAIR MURDER TRIAL IN DALLAS.

STANLEY MARCUS AND ATTORNEY CLAYTON FOWLER LED OFF A PARADE OF WITNESSES IN THE SECOND DAY OF THE COURT HEARING TO DETERMINE WHETHER THE SLAYER OF ACCUSED PRESIDENTIAL ASSASSIN LEE HARVEY OSWALD SHOULD BE TRIED IN ANOTHER TEXAS CITY.

BOTH MEN EXPRESSED RESERVATIONS AS TO RUBY'S CHANCES FOR A FAIR TRIAL IN ANY CITY.

"IT WOULD BE MY IMPRESSION THAT MR. RUBY WOULD HAVE GREAT DIFFICULTY GETTING A FAIR TRIAL IN DALLAS OR ANYWHERE ELSE IT IS MOVED," FOWLER SAID.

BOTH FOWLER AND MARCUS SAID THERE WAS STRONG FEELING IN DALLAS BOTH FOR RUBY AS THE MAN WHO KILLED A COMMUNIST AND AGAINST HIM AS A KILLER WHO BLOCKED JUSTICE FOR OSWALD.

RUBY, CALM IN CONTRAST TO HIS WEeping AND JITTERS YESTERDAY, QUIETLY ENTERED THE COURT AND TOLD NEWSMEN HE WAS READING A BOOK ENTITLED "COLLISION COURSE" ABOUT THE SINKING OF THE LINER ANDREA DORIA IN 1956.

MARCUS, THE FIRST WITNESS, SAID UNDER QUESTIONING BY CHIEF DEFENSE COUNSEL MELVIN BELLI OF SAN FRANCISCO:

"I HAVE GRAVE RESERVATIONS WHETHER THE DEFENSE OR PROSECUTION CAN GET A FAIR TRIAL IN DALLAS."

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—RUBY WITNESS TESTIFIES—

Fair Trial

Believed

Possible

SMU Professor
Called to Stand
In Transfer Bid

By JERRY RICHMOND and BOB FENLEY, Staff Writers

The first defense witness in the Jack Ruby change-of-venue hearing Monday said he knew of no reason why Ruby could not receive a fair trial in Dallas for the slaying of Lee Harvey Oswald.

The statement was made by Dr. Fred Carney, 39-year-old professor of Christian ethics at Southern Methodist University's Perkins School of Theology, on cross-examination by Dist. Atty. Henry Wade.

Earlier, under questioning by chief defense counsel Melvin Belli, the professor testified he had written an article in which he depicted Dallas as "a tortured city."

Defense lawyers are seeking in the hearing to have the Ruby murder trial moved from Dallas on grounds that the city itself is on trial.

In the opening moments of the hearing Judge Brown denied a plea by Ruby's attorneys that all in-
 68 FEB 20 1964 reports in the assassination of President Kennedy be turned over to the defense.

(Indicate page, name of newspaper, city and state.)

1 "The Dallas
Times-Herald"
Dallas, Texas

Date: 2-10-64
Edition:
Author:
Editor: Felix R. McKnight
Title:

Character:
or
Classification:
Submitting Office: Dallas
☐ Being Investigated

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TOP CLIPPING
DATED 2-13-64
FROM V. L. L.
MARKED FILE AND INITIALED

Millions watched on television as Ruby shot down the accused assassin of the President on Nov. 24.

Judge Brown also refused to transfer the trial to another city without going into any of the evidence—a request made by Mr. Belli.

In taking over the cross-examination of the defense's first witness, Mr. Wade told Dr. Carney the purpose of the hearing is to determine whether Ruby and the state can receive a fair trial in Dallas.

He said the defense's line of questioning had been about the effect on the public attitude by a decision-making center in Dallas referred to as an oligarchy.

"Do you think the oligarchy will attempt to influence a jury in the Jack Ruby trial?" Mr. Wade asked. Dr. Carney answered, "No."

"NO REASON"

Under questioning the SMU professor said he knew of no combination of persons seeking to deprive Ruby of a fair trial.

"In your own mind, do you know why he could not get a fair trial in Dallas?" the district attorney then asked.

"I know of no reason," said Dr. Carney.

The professor said he believed Dallas newspapers have been fair in their coverage and that newspapers in other cities have given considerable coverage to the shooting of Oswald.

Dr. Carney took the stand at 9:40 a.m. and the state and defense immediately clashed over phrasing of questions by attorney Joe Tonahill.

"You were here (in Dallas) when President Kennedy was ambushed by that Communist Lee Harvey Oswald?" Mr. Tonahill asked Dr. Carney.

WADE OBJECTS

Dist. Atty. Wade quickly objected, and Mr. Tonahill rephrased his question:

...when that Ruby of the

...Oswald murdered President Kennedy?"

The second uproar was louder than the first and when it subsided Mr. Tonahill questioned Dr. Carney about an article he wrote for the publication Christianity in Crisis.

The name of the article was "Crisis of Conscience in Dallas."

Dr. Carney testified that his article depicted Dallas as a "tortured city."

Mr. Tonahill asked if a reference to the "local oligarchy" in the article referred to the Dallas Citizens Council.

"I suppose that one could conclude that," Dr. Carney replied.

Dr. Carney said he used "local oligarchy" as a neutral term "one not intended to pass judgment."

The professor continued to say that he felt many leaders at first were "very much perplexed" as to whether Dallas was responsible for the assassination of the President.

"I think they came to the conclusion Dallas was not," he said.

"In my judgment the question still remains of whether there is religious and spiritual responsibility."

Mr. Tonahill asked if he felt there is a defensive feeling now among the city's leadership.

"I think the leadership is now defending Dallas," Dr. Carney said.

Court was recessed at 11:02 and was re-convened at 11:17 with A. C. Greene, chief editorial writer of The Times Herald, called to the stand as the next witness.

Attorney Belli introduced copies of editorials and Dist. Atty. Wade said he had no objection so long as the entire article was offered in evidence.

Mr. Greene explained under questioning how editorials were written and who at the paper decided what was written.

He described the purpose of editorials as "an attempt to set a realistic moral conscience from our viewpoint, not to tell our readers what to think."

"How do you feel about community indifference to Jack Ruby?" Mr. Tonahill asked.

"It would be impossible to say it (the Ruby case) isn't on their minds," Mr. Greene answered. "They read the papers."

Mr. Tonahill read one of Mr. Greene's editorials of Jan. 23 and asked if the point of the editorial was that no one in Dallas could be indifferent to the case.

"I wrote it as a personal appeal," said Mr. Greene. "The fact that a number of articles were coming out probing and examining Dallas made me feel we should be very careful about what we said and did. Dallas couldn't pretend it wasn't observed. I felt an inclination from certain people that 'some things' didn't happen."

Mr. Tonahill again asked if Mr.

Greene thought "people could not afford to be indifferent."

INTEGRITY ASKED

"I was calling for individual integrity," replied Mr. Greene, "to ask that we come to terms with ourselves—not to pretend . . . In a way I really had in my mind this court and the people in it—that they not be outlandish or rash in actions."

The editorial writer noted at the time his editorial was written that certain procedures had not been established — "television, for instance."

Attorney Tonahill asked what Mr. Greene meant when he referred to the "establishment" of Dallas. Mr. Greene replied it meant generally the leadership, "the ones to be quoted . . . the front for whatever comes up."

Noted attorney Belli, dressed in a grey suit, opened the defense's plea for change of venue.

The attorney said it might seem the defense is attacking the integrity of Dallas:

"I do respectfully say that we feel only in this instance should the case not be tried in Dallas. And I'll say nothing more about Dallas being unfit to try a lawsuit. I've been honored here by the Criminal Bar and I hope I will be a little taller when I leave and hope Dallas may be a little broader . . .

"We object," shouted Mr. Wade.

Continuing after the interruption, Mr. Belli launched into what he called "the reason for the hearing today."

He cited articles which have appeared in "The Dallas Times Herald and that other newspaper."

HEATED ARGUMENT

Minutes later a heated argument developed over the procedure for introducing Dallas newspaper articles into evidence.

The legal argument began when Mr. Belli attempted to introduce into evidence a portion of story from the Fort Worth Star-Telegram bearing the headline, "Dallas To Go On Trial in Ruby Venue Hearing."

Asst. Dist. Atty. A. D. Bowie objected to introducing only a part of the article and said the state would offer the entire article into evidence. The state also objected to the defense reading any newspaper or magazine article, saying it would be impossible to read every article printed since Nov. 22.

Judge Brown sustained the state's argument, saying if the defense planned to read all the articles, "We will be here 25 years."

Mr. Belli retorted, "If it takes that long to prevent this man being hanged—I'll stay here the rest of my life. May I respectfully ask when the court plans to read all these articles? The court can't absorb them by judicial osmosis."

BELLI WARNED

Mr. Tonahill rose to his feet and angrily snapped, "While Mr. Bowie is offering all the articles, Mr. Wade and Mr. (Bill) Alexander (an assistant district attorney) are reaching into their pockets to get their Bowie knives out and cut off our tongues and the court's ears."

Mr. Bowie repeated that the state wanted entire articles placed in evidence—not portions or articles chosen by the defense.

The judge stopped the argument and cautioned:

"Mr. Belli, suppose we try this hearing with a little respect for opposing counsel. Let's cut out the sidebar remarks. I don't want to hold anyone in contempt. But I assure you I will."

Earlier Mr. Belli had asked the court to use its own motion as authority to move the trial to another city in the state.

Judge Brown immediately refused, saying "Let's get on with the evidence."

Earlier, a handful of cameramen photographed Ruby as he was moved from his jail cell to Judge Brown's court at 7:20 a.m.—long before the start of the hearing.

As in his previous appearances in court, Ruby was hustled from behind a steel jail elevator door only feet from the courtroom, surrounded by a human shield of deputies in plain clothes.

He was led into the jury room adjoining the small courtroom. In the past he has played dominoes with his bodyguards until the court proceedings began.

The hearing, which could last from three days to a week, was requested by the defense to support its claim that Ruby cannot get a fair trial in Dallas County. Defense lawyers claim widespread local publicity on the assassination of President Kennedy and the slaying of his accused assassin by Ruby will prevent a fair trial.



IN WITNESS ROOM

Two well-known Dallasites were waiting in the sixth-floor witness room in the courthouse Monday prior to their call in the Jack Ruby change-of-venue hearing. They are Willis S. Tate, left, president of Southern Methodist University, and W. Dawson Sterling, Dallas civic leader.—Staff Photo.



WAITING WITNESSES

Awaiting their call as witnesses in the Jack Ruby change-of-venue hearing at the Dallas County courthouse Monday were, left to right, Earle Cabell, former mayor of Dallas and current candidate for Congress; Stanley Marcus, Dallas specialty store owner, and Dallas Police Chief Jesse Curry. They are part of a record number of witnesses the defense has subpoenaed. (See story on Page 15-A.)—Staff Photo.

Live Video Ruled Out In Building

Commissioners Court Monday ruled out live television equipment on the second floor of the Records Building during the Jack Ruby change of venue hearing and the trial scheduled next week.

The action came after Harry Holbrook, assistant building superintendent, explained that he had had a number of requests for the installation of live television equipment for the hall outside Judge Joe B. Brown's courtroom.

Mr. Holbrook told the commissioners the bulky television equipment and cable add to the congestion in the halls and would disrupt proceedings in other courts.

He said the equipment would require cables to be strung through the window and stretched across adjoining courtrooms.

The decision would not affect the smaller television cameras used to film action without sound.

Ruby Hearing Witnesses Described as 'Top Brass'

By JIM KOETHE
Staff Writer

Dallas County Sheriff Bill Decker described them Monday as "top brass . . . the most unusual collection of witnesses ever assembled in a Dallas murder case."

Gathered to testify in a change of venue hearing for Jack Ruby, charged with murdering Lee Harvey Oswald, they included the cream of Dallas civic, business, social and religious life.

An estimated 80 witnesses, few-

er than half the 170 called, began gathering at 9 a.m. in the Dallas County Courthouse's sixth floor Court of Civil Appeals, converted to serve as a witness waiting room.

RANGE OF WITNESSES

They ranged from Bishop Thomas K. Gorman of the Catholic Diocese of Dallas, dressed in the robes of his church, to a bartender of the Big D Copa, who, wearing dark, wrap-around sunglasses, kept jokingly identifying himself as Sammy Davis Jr.

Witnesses waited 45 minutes before Sheriff Decker announced they could leave the building and remain on a 30-minute stand-by call to testify.

Ordered to appear at the courthouse at 9 a.m., many of the witnesses had made prior arrangements to be reached by telephone on 30-minute notice. Those who did come to the courthouse were obviously anxious to leave.

Angus Wynne Jr. of Great Southwest Corp. needed to be in New York for a World's Fair exhibit, and Dallas attorney C. A. Crosby just "had business to attend to."

FIRST TO ARRIVE

Banker R. L. Thornton Jr. and Dr. William M. Elliott, pastor of Highland Park Presbyterian Church, were the first of the long

array of witnesses to arrive. Like many others, they said they had no idea why they were there.

"I haven't the faintest idea," said Dr. Elliott.

Mrs. Lily V. Leonard, who said she was "just an old Dallas citizen," knew exactly why she had been called. "Because they want to find out if we can have a fair trial in Dallas," she said. "We certainly can."

Ex-Mayor Earle Cabell said his answer to such a question would depend on how the question was put to him. "I have my own personal opinions about that," he said.

POINTS TO SUBPOENA

The bartender also knew why he had been called. "Because I got this here piece of peper," he said, pointing to his subpoena.

Representatives of both The Times Herald and the Dallas Morning News appeared with large stacks of their papers, which had been subpoenaed.

Although the number of witnesses did not crowd the appellate courtroom, few provisions had been made for them. Folding chairs were brought in and an Army field telephone connected the room with the second-floor courtroom where Ruby's hearing was being held.

The telephone was manned by a nervous reserve deputy sheriff, who constantly answered it "Ten-four."

At 9:45 a.m., Sheriff Decker appeared and told the witnesses they could leave if they could be reached by telephone on 30-minute notice.



—Staff Photo

—A portion of the 170 witnesses called for Ruby venue hearing—

Flash Bulbs Heat Court As Ruby Trial Prelude

By DICK McCUNE
Staff Writer

The temperature in Judge Brown's courtroom rose swiftly Monday even before the dramatic Jack Ruby change of venue hearing began.

When the nightclub operator was brought into the room, a horde of photographers rushed in and for 15 minutes or more there was a continual mechanical buzz of shutters clicking and movie cameras grinding.

The photographers' lights heated the courtroom and by 9 a.m. ties were loosened and jackets unbuttoned.

PHOTOGRAPHERS used every available space except Judge Brown's bench to take pictures of Ruby when he was brought into the courtroom. Some 30 still photographers and television and movie cameramen completely surrounded Ruby. Late arrivals stood on chairs and tables to get a camera view. "Good Lord," exclaimed one stunned photographer who was seconds late through the courtroom door. "Darndest pack I ever saw in my life," a Dallas television cameraman growled.

WHEN THE FIRST motion of the hearing was made by defense attorney J. H. Tonahill a wave of whispering continued among newsmen occupying four rows of seats in the courtroom. The rows in the back of the courtroom were set aside for spectators.

The whispering in the courtroom died abruptly and complete silence in the gallery prevailed when Melvin Belli stood up to make his opening re-

marks. Newsmen were taking down every word.

JUDGE JOE B. BROWN, considering defense pleas to have newspapers read verbatim into the record, commented, "... (If) everything is read it would take 25 years."

Mr. Belli said he would be glad to stay if it took that long.

SHERIFF BILL DECKER, himself standing watch over the courtroom, stationed deputies along the rail separating the main courtroom area from spectator seats. The only time he moved was when Jack Ruby motioned and the sheriff went to him for a whispered conversation. Except for that, Ruby sits well back in his chair, apparently impassive to references of "assassin," and "insane" and other comments.

WITH DR. FREDERICK CARNEY on the stand being questioned extensively about the "Dallas oligarchy," an unknown spectator in the back of the courtroom spoke up after some 45 minutes of questioning.

"What is an oligarchy?" Everyone chuckled, but no one offered an answer.

BEFORE THE COURTROOM was opened to newsmen about 8:30 a.m., a large group began gathering around the door, pressing close, ready to dash for seats when the doors opened.

Sheriff Decker, ever the diplomat in such situations, pushed his way through the crush to the door. On reaching his destination he turned and grinned.

"Good to have all you gentlemen here," he said and turned

on his heels and walked into the courtroom.

Newsmen turned to each other. "He really doesn't mean it," one said.

AMONG NEWSMEN present is Leo Hershfield, famed caricaturist on special assignment for the National Broadcasting System. Using a copy pencil and a large sketch pad, the internationally known artist made sketches which he said will appear nightly on the television news.

MELVIN BELLI took best-dressed honors for the day hands down. The San Francisco attorney wore a grey silk suit in the new double-breasted style—vents in the back, of course. He wore a light blue shirt with a darker blue tie.

ANOTHER PROBABLY unasked question was answered with the revelation that Joe Tonahill, Belli's co-counsel, refers to his California associate as "Belli."

ONE AREA of mystery at the Ruby hearing probably had nothing to do with the case itself. Newsmen set up an intense whispering clamor when a pretty, blonde woman wearing a light blue coat appeared in the courtroom before the hearing began.

One California newsman present offered a solution to the mystery of her identity. "Oh, I know her," he said. "She's a judge out in California."

No one believed him.

But she really was — Judge Nancy Cannon of the municipal bench in Los Angeles.

Ruby Trial Seating Told World Press

Telegrams were speeding their way around the world Monday advising newsmen about seating arrangements for the Jack Ruby murder trial, scheduled to begin Feb. 17 unless a change of venue is granted.

The wires also advised reporters that a briefing session will be held in Dallas Sunday to discuss pooling arrangements for covering the trial.

Judge Joe B. Brown has allocated only 48 seats out of the maximum 63 in his small courtroom for news representatives. Fifteen seats have been allocated to Dallas news media, 24 for the national press, six for international press, two for state media and one for an artists' pool.

Judge Brown said Monday he has not yet received any complaints, about the arrangements, although many individual newsmen do not yet know whether they'll be allowed in or excluded from the courtroom.

About 60 visiting newsmen were in Dallas Monday as a change of venue hearing to move Ruby's trial from Dallas began. This number is expected to mushroom at a rapid rate when the actual trial begins.

About 350 formal requests for seats in the courtroom have been received.

John Gold of the London Evening News complained bitterly about the six seats allocated to foreign reporters.

"Foreign reporters will be here by the scores," he said. "As far as I can see we've been shut out."

Tony Delano, London Daily Mirror said, "If I'm excluded I'll feel very bad since I represent the world's largest newspaper, with 5 million circulation."

Ed Linn, Saturday Evening Post commented: "We've asked for two seats: one for myself and one for an artist—and we'll be disappointed if we don't get them."

Louie Hudkins, Houston Post, said, "It's unfortunate its such a small courtroom, but they're doing the best they can."

Stan Redding, Houston Chronicle said, "We've been assured we'll have a seat in the courtroom. We intend to have five men covering the trial."

Sam Oste, Dauens Nyheter (Sweden) added: "It's strange that they can't change to a larger courtroom. I'll be unhappy if I'm not permitted in the courtroom, but if a pooling arrangement is the best they can do, I'll have to accept it."



APR 4, 1968
PHOTOS BY Eamon Kennedy

Jack Ruby displays variety of expressions in talks with newsmen.

TRUTH HAS COME TO ME

Jail Cell Bible Reading Confided by Inspired Ruby

By JIM LEHRER
Staff Writer

Jack Ruby confided Monday in a breaking voice that his reading of the Bible in his jail cell had given him a new slant on life.

Talking with newsmen in Judge B. Brown's courtroom minutes before his change of venue

beginning, the balding nightclub operator who killed Lee Harvey Oswald said:

"The truth has come to me during my incarceration."

Ruby said that reading Genesis and other books of the Bible has led him to "grasp the meaning of the Bible."

Ruby said he has learned further that he can develop a close relationship with people of another faith, and had a tremendous effect," he said.

Ruby declined to name the individual of the faith with which he particularly has turned to him and said he had time.

Ruby said that people can find peace in and have faith

in the same God," he said, his voice cracking and tears swelling in his eyes.

In answer to newsmen's questions, Ruby said that he was feeling well and had managed through reading the Bible to avoid "thinking of anything material at this time."

"I'm trying to forget the things that I was involved with on the outside," he said.

Ruby said a message delivered to him from Barney Ross, the Marine hero and prize fighter, had also been a big boost to his morale.

Noting that he had known Ross for 40 years, he said the well-known personality had told Ruby's sister, Mrs. Eva Grant, that "he would rather be in here than me."

He said Ross called Mrs. Grant from New York with the message and told her that he had known Ruby for many years and had never given him a "knock."

Ruby explained that a "knock" means a derogatory remark.

The nightclub operator said he was continuing to receive large amounts of mail and he said it has all been "for me."

Ruby said anticipating the mail is the high point of his days in jail.

He said he exercised daily doing pushups and situps, mostly, and he noted that he had not lost any weight since being jailed.

"I had been on a diet before this happened and now I am back up to my regular weight," he said.

Ruby praised Sheriff Bill Decker and his deputies for the treatment he has received in jail, labeling the sheriff "a great man and a great human being."

"I consider him my friend and I hope he accepts me as his friend," he said.

As for his fellow prisoners, they speak to him cordially, Ruby said. "They're all for me."

"Of course, I'm isolated from them," he said.

Ruby also confirmed that he had

written notes which served as the basis for an autobiographical series which appeared in a score of newspapers in the United States and Europe.

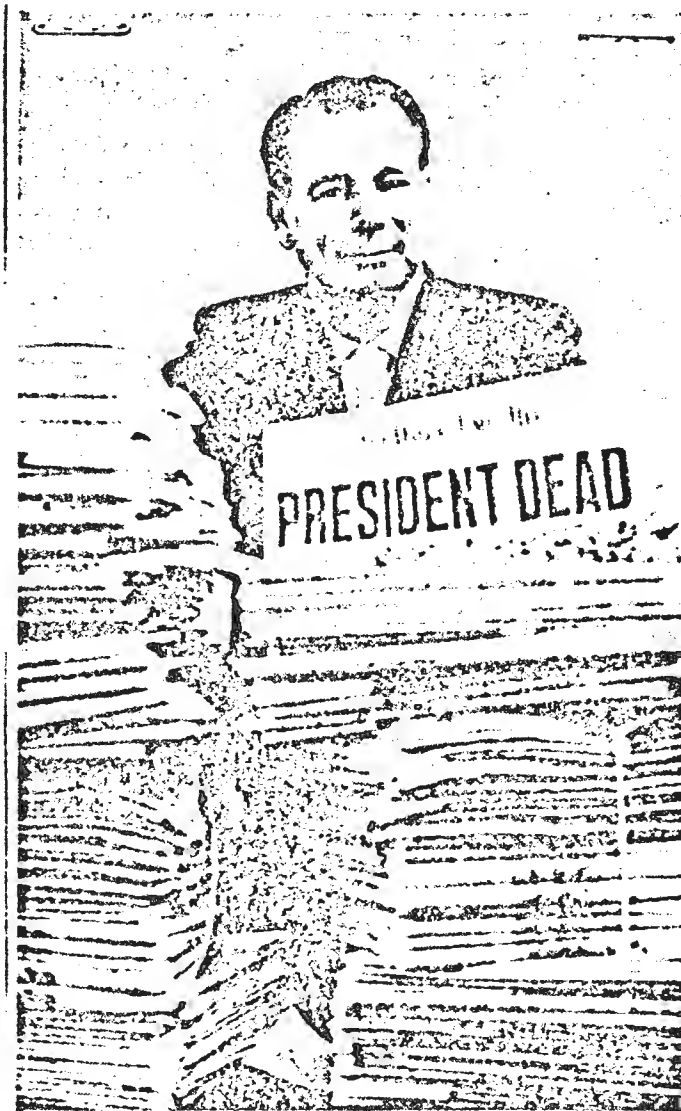
Ruby's interview was conducted amidst the crush and push of some 25 newsmen seeking information about his life in jail.

Melvin Belli, one of Ruby's lawyers, admonished his client at the beginning of the interview to follow the example of the groundhog and "just give your name, rank and serial number."

Mr. Belli and fellow defense attorney Joe Tonahill on several occasions interrupted the interview to warn Ruby against answering certain questions.

One of those questions was: "Jack, do you think you could get a fair trial in Dallas?"

Mr. Belli said, "I don't think he should answer that, because if he said 'yes' there wouldn't be much point in our being here today."



FOR THE RECORD

Times Herald City Circulation Manager Dean Campbell gathered this pile of newspapers representing every issue published by The Times Herald since the assassination of President Kennedy. He was subpoenaed by defense lawyers in the Jack Ruby case, who want the newspapers introduced into the record.—Staff Photo.

Ruby Asks Court Shift Of Trial From Dallas

DALLAS, Feb. 10 (AP).—Jack Ruby's defense chief asked today that Ruby's trial on charges of murdering President Kennedy's accused assassin be transferred to another city without going into any evidence. District Judge Joe B. Brown overruled him.

The chief defense attorney, Melvin Belli, made the request after Judge Brown ruled against him on a motion that would have required the State to turn over to the defense all its evidence against Ruby.

An attempt by Mr. Belli to read aloud newspaper stories about the killing of Lee Harvey Oswald by Ruby was turned down also.

Ruby shot Oswald on November 24, two days after Oswald was charged with murder in the assassination of President Kennedy and the killing of Dallas patrolman J. D. Tippit.

Ruby, 52, returned to court to watch his lawyers fight to have his trial moved to another city on the ground that he cannot get a fair trial here.

District Attorney Henry Wade said he would not object to having the newspaper stories entered in evidence, but did not want them read aloud. Judge Brown agreed, saying that if they were all read into the record "we will be here for 25 years."

Ruby talked at length with newsmen before the change of venue hearing began.

Fighting back tears, he said mail from many people and a telephone message relayed to

him from ex-boxer Barney Ross had given him a big lift while in jail.

Unless the case is transferred, Ruby's trial is scheduled to begin in Judge Brown's court on February 17.

The defense claimed "Dallas County cannot judge Ruby fairly while the State, the Nation and the world judge Dallas."

Tolson ☒
Belmont ☒
Mohr ☒
Casper ☐
Callahan ☐
Conrad ☒
DeLoach ☒
Evans ☒
Gale ☒
Rosen ☒
Sullivan ☒
Tavel ☒
Trotter ☐
Tele Room ☐
Holmes ☐
Gandy ☐

The Washington Post and Times Herald _____
The Washington Daily News _____
The Evening Star _____
New York Herald Tribune _____
New York Journal-American _____
New York Mirror _____
New York Daily News _____
New York Post _____
The New York Times _____
The Worker _____
The New Leader _____
The Wall Street Journal _____
The National Observer _____

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Tolson _____
 Belmont ✓ _____
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 Gale ✓ _____
 Rosen ✓ _____
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 Tavel _____
 Trotter _____
 Tele. Room _____
 Holmes _____
 Gandy _____

UPL-38

(RUBY)

DALLAS--MEMBERS OF JACK RUBY'S HIGH-POWERED DEFENSE BATTERY SAID TODAY THEY WERE "DEFINITELY CONFIDENT" THEY CAN FORCE HIS MURDER TRIAL OUT OF DALLAS AND INTO ANOTHER TEXAS CITY.

THE SLAYER OF ACCUSED PRESIDENTIAL ASSASSIN LEE HARVEY OSWALD SAT PLACIDLY IN HIS MAXIMUM SECURITY JAIL CELL AWAITING HIS APPEARANCE IN COURT TOMORROW FOR A CHANGE OF VENUE HEARING TO DETERMINE WHERE THE TRIAL WILL BE HELD. SHERIFF BILL DECKER SAID THE 53-YEAR-OLD STRIP-TEASE NIGHTCLUB OPERATOR "APPEARED CALM."

THE LEGAL BATTLE OVER WHERE TO HOLD THE TRIAL STARTS TOMORROW IN THE COURTROOM OF CRIMINAL DISTRICT COURT JUDGE JOE B. BROWN. HE HAS SCHEDULED THE TRIAL TO START IN DALLAS FEB. 17, IF CHANGE OF VENUE IS NOT GRANTED.

DISTRICT ATTORNEY HENRY WADE WAS FIGHTING TO KEEP THE TRIAL IN DALLAS, WHERE RUBY SHOT OSWALD BEFORE A NATIONWIDE TELEVISION AUDIENCE LAST NOV. 24.

LED BY FAMED SAN FRANCISCO ATTORNEY MELVIN BELLI, THE SIX-MAN DEFENSE TEAM HELD DAY-LONG STRATEGY SESSIONS TODAY IN A DOWNTOWN DALLAS HOTEL.

2/9--MJ620FES

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FEB 11 1964

68 FEB 17 1964

WASHINGTON CAPITAL NEWS SERVICE

(Mount Clipping in Space Below)

Dallas to Go on Trial In Ruby Venue Hearing

BY ED JOHNSON
Star-Telegram Writer

DALLAS, Feb. 8—Dallas will stand trial Monday when Jack Ruby's gilt-edged defense voices an impassioned plea to get his murder case moved out of here.

The defense—in a hearing before District Judge Joe B. Brown—will attempt to forge a case against Dallas, its residents and its news media.

The argument is that Ruby can't get an impartial jury here because of the feelings stirred by the assassination of President John F. Kennedy and the slaying of Lee Harvey Oswald.

The state is expected to oppose feverishly the defense contention.

THE CHANGE of venue hearing will determine whether strip joint operator Ruby goes on trial Feb. 17 for murdering Oswald or whether the case goes to another county for a court setting later.

Melvin Belli, Ruby's chief defense strategist, has subpoenaed 170 witnesses for the

venue hearing—at last count, that is.

The list is an unofficial "Who's Who in Dallas County"—an array of luminaries in the city's business, religious, educational, governmental and cultural life.

That collection has prompted Judge Brown to reserve another courtroom to closet them while they await their turn on the stand.

To use the Texas vernacular, Belli is trying to put Dallas between a rock and a hard place in convincing the court anywhere would be better than here.

Rumors have flowed that Dallas powers are on both sides of the fence about the murder trial here. Talk of pressures to keep or move it is common.

One side is the contention that Dallas has reaped enough abuse from the tragic events of late November.

That school doesn't cotton to the thought of Dallas datelines continuing to go everywhere in the world day after day.

THE OTHER feeling is that the whole mess began in Dallas so Dallas should see it to its conclusion, that is, justice should be done here.

Belli, moving like a courtroom fox, has noted these differences of opinion in a 35-page brief, printed in pamphlet form, which he already has submitted to the court.

This includes quotes from the Dallas Morning News, and the sources are none other than Texas Attorney General Waggoner Carr and Dallas District Attorney Henry Wade, the chief prosecutor. Both are on Belli's subpoena list.

The story on Carr published at the time he was talking about a court of inquiry into the assassination is cited in the brief in part:

"There was speculation that the Dallas civic leaders asked Carr to hold the investigation elsewhere because of the notoriety Dallas has already received as a result of the assassination of President Kennedy."

Belli caught Wade with his words down a few days after Ruby was charged—at the time he told the news media he would ask the jury to convict Ruby of murder with malice. Wade is quoted as saying:

"Our whole judicial system will be on trial. This trial will determine whether Dallas has a government based on the orderly process of law or a government in which an individual can take the law into his own hands."

BELLI EVEN JUMPS the Atlantic to the London Daily Express ("The disgrace of the Dallas police is complete") in his effort to show Dallas is in a hanging mood to compensate for the November murders.

Judge Brown has the books



ED JOHNSON

(Indicate page, name of newspaper, city and state.)

16 "Ft. Worth
Star Telegram"
Ft. Worth, Texas

Date: 2-7-64
Edition:
Author:
Editor: John Ellis
Title:

Character:
or
Classification:
Submitting Office: Dallas

TOP CLIPPING
DATED 12-2-64
FROM
MAILED FILE AND INITIALED
68 FEB 20 1964

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NOT RECORDED
128 FEB 19 1964

to consult in ruling on the change of venue but the rub is in the discretionary powers the statutes give to the court. He faces that forensic tight-rope with the defense cat-like in its eagerness to pounce on any ruling that might bring, at a later date, a mistrial or a reversal, circumstances that no jurist fancies.

A Fort Worth judge appraised the Star-Telegram of some of the pitfalls in the change of venue law.

Judge Brown may cut the hearing off at any time, saying he has heard enough testimony to convince him, one way or the other, about getting a fair and impartial jury here.

If, after hearing a handful of Belli's witnesses, the judge rules the trial should be moved, then move it he does without another verbal shot. The state has no relief from that decision.

"But," commented the judge, "if the court denies a change too quickly, watch out!"

IF THE MURDER trial jury returns an adverse verdict against Ruby, then Belli most certainly would argue that the court abused its discretion.

He would tell the appellate court that Brown acted capriciously or whimsically in not hearing out enough of his witnesses. Such contentions can win reversals.

Earlier, Belli also said he might go to the federal courts for relief if Judge Brown does

n't heed his cry for a change.

There is nothing unusual about the burgeoning list of those subpoenaed, the Fort Worth judge said.

"In small towns, a lawyer will sometimes go as far as to subpoena everybody to show the defendant can't get a fair trial in that town," he said.

THE STELLAR list of personalities Belli has called also is meaningful. Here are a few:

Business, Industry, Labor—Stanley Marcus of Neiman-Marcus; Erik Jonsson, Texas Instruments board chairman; Robert Stewart, First National Bank president; Allen Maley, Dallas AFL-CIO secretary-treasurer.

Religion and Education—Dr. Willis Tate, president of Southern Methodist University; Episcopal Bishop Avery Mason; Catholic Bishop Thomas K. Gorman; Methodist Bishop William C. Martin; Dr. E. S. James, Baptist Standard publisher; Rabbi Hillel Silverman, Ruby's pastor.

Government and Law — For-

mer Mayor Earle Cabell; U. S. District Attorney Barefoot Sanders; Sheriff Bill Decker; Police Chief Jesse Curry; Wade and Carr.

Also summoned are more than a score of newspapermen, from editorial writers to police reporters.

BELLI'S OBJECT in summoning such lights is simple—they supposedly have the competence, the education, the contracts to know what the temper of the city really is.

"The words of the high powered people carry more weight than Bob Smith or Jim Jones on the street," the Fort Worth judge noted.

The law also states that a change of venue should be to the next adjacent county "where prejudice does not exist."

That, of course, is again up to the judge's discretion.

And the prosecution is apt to argue that it would be difficult to find a county anywhere in the nation where feelings do not run high.

The usual procedure in Tex-

as in venue changes is to move half a dozen counties away.

Prosecutors follow the case but it is unusual for a judge to move with a change of venue, the Fort Worth jurist said. This involves some change-of-bench paperwork.

THE CATCH phrase, "trial by newspaper," will be aired at the hearing. Lawyers will argue the cast of characters involved are portrayed differently in print from real life.

Belli devotes half of his brief to quotes from newspapers. Some claim "adverse publicity" against Jack Ruby, the judge, the attorneys, the city.

He said the mind of Dallas has been inflamed because of such phrases:

"Jack Ruby, the man who thought two wrongs make a right, a swaggering, fat-fingered, sapphire - ringed man; a health faddist and a preener."

And, "Jack Ruby, he runs a girly show."

And, "Ruby was a tough guy around the club . . . he even had his own little JAM TA published statement from an inmate at Huntsville."

And, "Ruby's flamboyant attorney, Melvin Belli." (Belli fumes at the word "flamboyant.")

And, "Dallasites flood churches in search of answers."

And, "Arab newspapers seized on the fact that Jack Ruby, charged with killing Oswald, is a Jew."

And, "If the world thinks Dallas has been loose and informal, wait till they see Judge Brown."

Dallas Trial Hit With 22 Reasons

Special to the Star-Telegram

DALLAS, Feb. 8 — Defense attorney Melvin Belli opposes Jack Ruby's murder trial in a building a few feet from the spot where President John F. Kennedy was cut down and a dozen blocks from City Hall where Lee Harvey Oswald was slain.

He feels there are at least 22 factors which "have so simmered in Dallas County as to preclude the probability of a fair trial for Ruby." As listed by Belli, they are:

1. "Assassination of President Kennedy on a Dallas street.
2. "Assassination site close to the courthouse where Jack Ruby will be tried.
3. "Assassination site still visited and flowers are still placed near by.
4. "Assassination and shooting of Oswald are conceptually intertwined. . . .
5. "DALLAS blamed directly and indirectly for the assassination of the President.
6. "Dallas blamed for allowing the shooting of Oswald.
7. "Dallas representatives have expressed feeling of re-creation publicly.
8. "Dallas County's deprivation of prosecuting Oswald could find atonement in the persecution of Ruby.
9. "Revulsion over Stevenson spitting and efforts to blame Dallas for such incidents.
10. "Dallas blamed for promoting extremism.
11. "Dallas County can not judge Ruby fairly, while state, nation and world judge Dallas.
12. "Publicity regarding fear of political and economic reprisals against Dallas.
13. "SUBLIMINAL effect on Dallas jury of the publicity against the Dallas community.
14. "Dallas District Attorney Henry Wade published a pre-trial demand for the death of a citizen who is charged with killing the vicious assassin of the President.
15. "Adverse publicity concerning Ruby's legal counsel and clearance by the Dallas Bar's grievance committee of district attorney's press releases.
16. "Such extreme pressure and publicity that trial judge needed services of public relations expert.
17. "Necessity of taking extreme security precautions for transfer of Ruby to county jail, undisclosed location of jail cell, newspapers' own security precautions, and protection of courtroom for bail bond hearing.
18. "Adverse local press stories carrying innuendos of conspiracy between Ruby, Oswald and Communists.
19. "Threats of physical violence against other citizens of Dallas after assassination of the President and shooting of Oswald.
20. "ADVERSE LOCAL press referring to Ruby as 'tough guy, Chicago mobster and strip joint operator.'
21. Anti - semitism against Ruby sparked by publicity that name has been changed from Rubenstein.
22. "Such strong local prejudice that Parkland Hospital, which treated the avowed Marxist, Oswald, initially refused to permit Ruby to undergo tests that were to be made available to defendant's counsel, the state and the Warren commission."

(Mount Clipping in Space Below)

DUE IN COURT MONDAY**Round 3 for****Ruby**By **CARL FREDRIK**
News Staff Writer

Jack Ruby needed only a second to fire a lethal bullet into Lee Harvey Oswald, before millions of television eyewitnesses.

But lawyers may spend months in courtrooms before there is a final verdict on whether the balding striptease club manager committed murder when he shot the 24-year-old Marxist accused of assassinating President Kennedy here.

Sheriff Bill Decker's deputies will form a human shield again Monday and escort Ruby from his county jail cell into Criminal District Court No. 3.

The courtroom appearance will be Ruby's third. Two bond hearings ended with officers returning the 52-year-old defendant to his cell, where he has been held since the Nov. 24 slaying.

This time Judge Joe B. Brown will hear testimony and arguments to determine whether Ruby should stand trial in Dallas or another county.

DEFENSE LAWYERS want the case transferred. Dist. Atty. Henry Wade doesn't.

Ruby is scheduled to stand trial Feb. 17 if Judge Brown denies the defense request.

Courthouse officials have mailed notices to 900 prospective jurors—a record number for Dallas County—but there is speculation Ruby's lawyers would seek a postponement.

If Judge Brown transfers the case, the decision would cancel the trial date automatically and the judge of the new court would set another date. Members of the jury panel for Feb. 17 would still report to the courthouse here, but many would be excused after arriving there.

The defense request for a transfer is known legally as a plea for a change of venue.

(Dictionaries show the word

(Indicate page, name of newspaper, city and state.)

20 "The Dallas
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"venire" derives from the Latin "venire" and refers to "the place for coming into court.")

Defense lawyers have subpoenaed public officials, pastors, business and social leaders and newspaper reporters for the hearing.

THE ATTORNEYS claim Ruby could not get a fair trial here because of news stories about the case and the feeling among many Dallas residents that a death penalty would improve the city's image.

Wade, who denies this feeling exists, will try to limit defense testimony.

Referring to a ruling by the Court of Criminal Appeals in the Billie Sol Estes case, the district attorney says the matter boils down to one basic point:

"Could lawyers get a jury here which would disregard what its members may have seen on television or read in newspapers — a jury which would decide the case strictly on the basis of courtroom testimony and legal instructions given by the judge?"

Judge Brown has said he would like to "go with the case" and preside in the new court if he transfers it to another county. This could be done, but is not normal procedure.

IF NORMAL procedures are followed, the judge of the new court would decide. Its district attorney would join Wade in prosecuting the case.

Since he would be more familiar with residents of his county and their backgrounds, the prosecutor there would take the lead in questioning prospective jurors.

Then Wade and his assistants

William H. Alexander, A. D. Jim Bowie and Frank Watts — would present testimony with which they hope to send Ruby to the electric chair.

State laws do not provide for an immediate appeal to the Texas Court of Criminal Appeals by defense lawyers if Judge Brown denies their request. However, the appeals court could consider the denial in deciding whether to grant a new trial if Ruby is convicted.

Attorney Melvin Belli of the defense staff has hinted that he may go into the federal courts if Judge Brown orders lawyers to attempt to pick a jury here.

AN APPEAL to the federal courts could result in a postponement of the trial.

If Ruby stands trial here, Judge Brown will face a problem which even Solomon, with all his wisdom, probably could not have solved.

More than 350 reporters plan to converge on Dallas to cover the trial for newspapers, magazines, radio stations and TV networks throughout the world. But Judge Brown's courtroom is one of the smallest here and he says only 48 seats will be available for press representatives.

Judge Brown and Sam Bloom, a Dallas advertising and public relations executive who is serving as his press adviser, pondered various suggestions.

They recognized there was no solution which would please everyone.

Saying he was "doing the best I can under the circumstances," Judge Brown spelled out "ground rules" Friday for press coverage of the trial if it is held here.

JUDGE BROWN specified the number of seats which he would make available to various segments of the press, such as na-

tionally circulated magazines and newspapers.

The plan involves "pool arrangements" among reporters.

These are often used in covering presidential conferences and other news stories where space is limited.

One reporter inside the courtroom would represent numerous newspapers in addition to the paper for which he worked. He would make his stories available to those unable to get into the crowded courtroom.

Radio stations would use similar arrangements.

In addition, Judge Brown said, the court would make official copies of testimony available to reporters at intervals throughout the trial.

Judge Brown said he also wanted to "clarify the role" of the Bloom Agency.

THE JUDGE said it is "in no way acting as a public relations agency" or trying to tell reporters how to write their stories.

Judge Brown said Bloom and members of his agency are merely assisting in the "basic mechanics" of press coverage. He said they answer requests for credentials, provided identification badges, and perform other similar tasks.

Defense lawyers implied earlier that Dallas civic leaders hired Bloom as a "press agent" for the trial because they wanted to keep the city's image from becoming even more tarnished.

Judge Brown said, however, that Bloom volunteered his services.

"I welcomed his services," the judge said. "I don't have the background or time to take care of all the details in making arrangements for the press."

Bloom knew he had a thankless task. Regardless of what plan the court followed, numerous re-

porters would be unhappy — and some would likely be bitter. But he worked to achieve the most reasonable and equitable arrangements possible.

TESTIMONY at the trial will center on Ruby's mental condition when he fired the shot.

Prosecutors will say Ruby planned the slaying and then carried it out in the erroneous belief it would bring him fame and fortune.

They will say Ruby is guilty of murder with malice and will call for the death penalty.

Should the jury convict Ruby of this charge, it could send him to the electric chair or assess a prison term ranging from 2 years to life.

Defense lawyers will argue that, if Ruby is guilty of murder, it is murder without malice. The maximum sentence on that charge is 5 years in prison.

The lawyers will say, however, that they are convinced Ruby did not know right from wrong when he fired the shot. If jurors agreed, they would find the slayer innocent of murder, since he would have been insane in the eyes of the law.

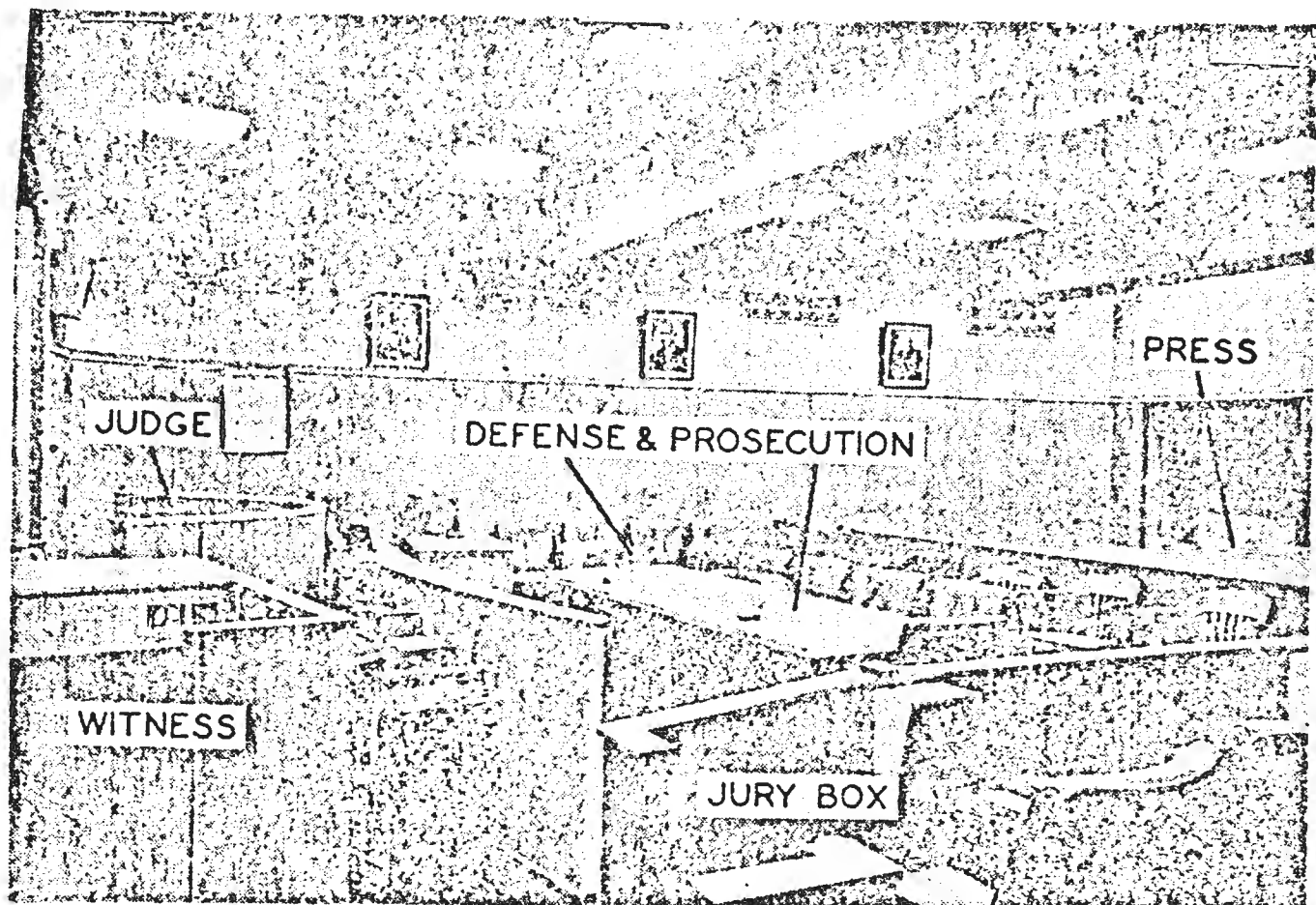
RUBY WOULD go free if the jury said he was insane at the time, but sane now. If jurors decided he had not regained his sanity, he would go to a state mental hospital.

The legal battle would end abruptly if jurors found Ruby innocent. Wade could not appeal.

But, if jurors found Ruby guilty and imposed a severe penalty, his lawyers would appeal to the higher courts.

They would go to the Court of Criminal Appeals and, if turned down there, could go into the federal courts by raising a constitutional question.

This would take months — perhaps years.



—Dallas News Staff Photo by Joe Laird

Criminal District Court No. 3: It'll be packed for Ruby hearing Monday.

(Mount Clipping in Space Below)

Seats Allocated For Ruby's Trial

District Judge Joe B. Brown has announced that 48 seats will be allocated to newsmen if the murder trial of Jack Ruby remains in Dallas County.

In a meeting with press representatives in the small courtroom in which Ruby is scheduled to go on trial Feb. 17 for the murder of accused assassin Lee Harvey Oswald Judge Brown Friday outlined the limited press facilities.

Viewing the more than 300 requests from newsmen for seats in the courtroom, which will accommodate only approximately 60 people, he said, "I am forced to lay down certain procedures for the press."

TV COVERAGE OUT

The judge announced that all audio-visual transmissions from the courtroom during the trial had been overruled.

An adjacent courtroom, Dallas

Probate Court, was designated a press room, and the official transcripts of the testimony was promised members of the press.

Inside the courtroom 48 seats were to be made available on the following basis: national press, 24; Dallas-Fort Worth press, 15; international press, six; state press, two; and artists' pool, one.

SEATING ARRANGEMENTS

A further breakdown of seating arrangements issued to newsmen on a mimeographed sheet explained The Dallas Times Herald and the Dallas Morning News would be allotted three seats each.

Other Dallas-Fort Worth media representatives were to be assigned one seat in the courtroom, including, KRLD-TV (Channel 4), KTVT-TV (Channel 11), WFAA-TV (Channel 8) and WBAP-TV (Channel 5). The Fort Worth Star-Telegram and the Fort Worth Press were assigned one seat each. Three seats for local radio stations were to be made available.

The 24 seats for the national press were assigned as follows: The Associated Press, three; United Press International, three; Columbia Broadcasting System, two; National Broadcasting Co., two; American Broadcasting Co., two; and one seat to each of these—Time, Life, National Observer and New York Times.

In addition six seats for national newspapers were to be made available.

The six seats for the foreign press were to include four for a pool arrangement, and two for Reuters.

The Ruby venue hearing was scheduled to begin at 9 a.m. Monday with approximately 170 persons called as witnesses.

(Indicate page, name of newspaper, city and state.)

4 "The Dallas
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ANSWER DUECan City
Be Fair
To Ruby?By JERRY RICHMOND
Staff Writer

Can the slayer of President Kennedy's accused assassin get a fair trial in Dallas?

One man, a judge, must decide the question this week after opposing attorneys ask all or some of 170 Dallas citizens their views about the three days in November that all mankind shared.

The legal question over the location for the murder trial of Jack Ruby will be posed at 9 a.m. Monday in the small, lined-oak court-

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District Judge Joe B. Brown. The decision about the time and place to try Ruby for shooting accused assassin Lee Harvey Oswald is his alone.

170 SUBPOENAED

Ruby's lawyers say he can't get a fair trial in Dallas because of widespread publicity given the case. They have subpoenaed 170 Dallas citizens representing a cross-section of community life to support their contention.

Opposing attorneys will seek to settle the question with testimony and then cross-examination of the citizens called for the hearing.

District Attorney Henry Wade is expected to lead the prosecution team in cross-examining the civic leaders, businessmen, officials, educators, religious leaders and newsmen subpoenaed for the hearing.

The prosecution contends Dallas is the proper place to try Ruby because the law provides, except in cases where a fair trial cannot be obtained, the accused should be tried in the county where the crime occurred.

DEFENSE STAND

The defense, headed by Melvin Belli of San Francisco and Joe H. Tonahill of Jasper, seek to remove the case from Dallas County. "Dallas County cannot judge

Ruby fairly, while the state, the nation and the world judge Dallas," they claim in an application for change of venue.

Although no subpoenas have been issued by the state for witnesses to appear Monday, Mr. Wade has said he will cross-examine those called by the defense and will introduce affidavits to support his office's stand.

The hearing, in which Ruby will make his fourth courtroom appearance since his arrest, could last a full week. His trial is set for Feb. 17, and 900 veniremen have been summoned to appear for possible selection as Ruby's jury if the trial is not transferred from Dallas County.

Mr. Tonahill said Saturday the defense "fully intends to call all the witnesses subpoenaed for the hearing." He said the defense is prepared to present evidence throughout the week.

"And longer if necessary," he added.

Witnesses called by the defense will report at 9 a.m. Monday to be sworn in. The rule of evidence, which prevents them from discussing the case or appearing in the courtroom during the hearing, is not expected to be involved, according to both prosecution and defense spokesmen.

Because of limited space in the courtroom, only about 60 can be seated inside the court. Arrangements have been made to house the witnesses waiting to testify in the Fifth Civil Appeals Court on the sixth floor of the Records Building. Many witnesses have arranged to be available on 30-minute call by the court, including members of the Dallas City Council and a number of newsmen.

A Ruby defense spokesman said Saturday an agreement had been made with Dallas City Attorney Henry Kucera to excuse the subpoenaed members of the City Council until Tuesday because of Monday's City Council meeting. These include Mayor Erik Jonsson and Councilmen Elizabeth Blessing and Joe Golman.

The judge's decision, according to law, will be based on what these Dallas citizens say on the stand and the application of their testimony to the laws governing venue.

(Mount Clipping in Space Below)

Seats at Ruby Trial Allocated to Press

By CARL FREUND

Judge Joe B. Brown allocated seats Friday for press coverage of the Jack Ruby murder trial and drew up "ground rules" for reporters.

Judge Brown said he would not allow television equipment cameras or tape recorders in his courtroom during the trial.

Ruby is scheduled to face a jury Feb. 17 in Criminal District Court No. 3 on a charge of murdering Lee Harvey Oswald, a Marxist accused of assassinating President John Kennedy here.

The trial date will be canceled, however, if Judge Brown decides at a hearing next week to transfer the case to another county.

Judge Brown noted he has only 48 seats available for the press in his small courtroom. But, he said, he has received requests from more than 300 reporters from throughout the world.

The judge said he studied various suggestions for "affording the most comprehensive coverage possible."

He said he decided, finally, to allot seats to various segments of the press.

Reporters within some of these segments will "pool" their coverage, the judge said.

This is an arrangement under

which one reporter covers a news event and shares his stories or notes with others. It is often used when space is limited.

(When Gov. John Connally held his first "press conference" after he was wounded during the assassination, only one reporter was allowed to question him in his Parkland Hospital room.)

To help reporters, Judge Brown said, official transcripts of testimony will be furnished by shorthand reporters at intervals throughout the trial.

Judge Brown said he ruled out proposals for closed-circuit television which would allow reporters to watch the trial on TV sets in a "press room."

The jurist gave no reason for his decision, but reporters speculated he feared that some radio stations might attempt to broadcast proceedings by placing microphones near the TV sets.

Judge Brown said he had decided also against attempting to conduct the trial in a larger courtroom. The courtrooms of Judges J. Frank Wilson and Henry King are larger, but trials are sched-

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Houston Sure To Get Trial, Attorney Says

HOUSTON, Texas (AP)—Houston Atty. Percy Foreman feels sure the Jack Ruby trial will be shifted from Dallas to Houston.

Defense attorneys for Ruby contend he cannot get a fair trial in Dallas in the slaying of Lee Harvey Oswald, accused assassin of President Kennedy. A hearing opens Monday at Dallas on a defense motion to move the trial out of Dallas.

Foreman, one of the most sought-after attorneys in Texas as a defense lawyer in criminal cases, said Thursday night in an interview that Houston's size makes it the only city where the trial can be held.

"There's no other place in Texas where you could handle a case with that many witnesses," he said. "You've got to figure on hotel accommodations."

"I don't think there's a Chinaman's chance to get an impartial jury in Dallas—frankly, not here either.

"But everybody knows the case will probably come to Houston."

Foreman said he had been offered an opportunity to participate in the Ruby trial and also had been "offered employment in representing Oswald's interests before the Warren Commission" but he had declined in both instances.

Wade Against Shift of Trial To Houston

Dist. Atty. Henry Wade indicated Friday he would oppose Houston as a site for the Jack Ruby murder trial if Judge Joe B. Brown decides to move it out of Dallas.

"I don't think he should be tried anywhere that sob story appeared," Wade commented.

The district attorney referred to a series of stories which appeared under Ruby's byline in newspapers in Houston, New York and other cities.

Wade said the stories are "obviously designed to create sympathy for Ruby."

A defense lawyer, Melvin Belli, told New York reporters this week he would be "tickled pink" to have Ruby stand trial in Houston.

A Houston lawyer, Percy Foreman, said Wednesday he thought chances were good that Judge Brown would move the trial there.

Wade said he is confident a hearing next week will end with Judge Brown ruling that Ruby should stand trial here on a charge of murdering Lee Harvey Oswald.

(Mount Clipping in Space Below)

Ruby Lawyers Gathering To Plan Hearing Strategy

Defense lawyers for Jack Ruby ready issued. Subpoenaed late Thursday were Dallas Bar Association President Hubert D. Johnson, Dallas News columnist Paul Crume and Leroy S. James of Richardson.

The hearing is slated to convene at 9 a.m. Monday in the court of District Judge Joe B. Brown with the defense attempting to support its claim that Ruby cannot be given a fair trial in Dallas for the Nov. 24 slaying of accused assassin Lee Harvey Oswald in the basement of the police station here.

Defense lawyers claim that Dallas is in effect on trial itself and

therefore cannot give Ruby a fair trial.

The state contends that a recent interpretation of the law governing jurors allows a person to serve even though they have read or heard about a case if the person says he can set aside what he has read or seen.

On this basis, the state will fight to keep the murder trial in Dallas.

Meanwhile, a noted Houston defense attorney said he believes Houston has "better than a 50-50 chance of getting the Jack Ruby trial," the Associated Press reported.

The attorney, Percy Foreman, made the remark in an interview Thursday night on radio station KTRH.

The Associated Press also quoted Mr. Belli as saying he would be "tickled to death" if the trial is transferred to Houston.

He said the defense would not ask for a delay of the trial if a change of venue is not granted, the Associated Press said.

"If they go ahead in Dallas, we'll go," Mr. Belli was quoted as saying. "But they won't have a case in any court that will stand up on appeal."

In other developments, officials of the central jury room were working on measures to provide room for the record 900 veniremen called for the week of the Ruby trial, Feb. 17.

The room seats 285 and extra folding chairs will seat about 100 more. A courtroom may also be used for the overflow and jury panels probably will be dispatched to courts as quickly as possible.

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DAMAGE SUIT PLANNED

Attorneys for Ruby Hit Back at Critics

Attorneys for Jack Ruby, meanwhile, other defense lawyers struck back at critics Thursday. Melvin Belli of San Francisco, the chief defense lawyer, announced in New York that he intends to file a \$15,000,000 damage suit against the publishers of the Saturday Evening Post.

Meanwhile, other defense lawyers subpoenaed Hubert D. Johnson, Dallas Bar Association president, who criticized Belli's conduct. The subpoena directs Johnson to appear Monday in Criminal District Court No. 3 for a hearing which will determine where Ruby stands trial.

Belli said the Feb. 8 issue of the Post carries an article "slanted viciously to make look ludicrous and ridiculous." He referred to an article entitled "A Flashy Lawyer for Oswald's Killer."

Belli was in New York to publicize a book he has written.

Defense lawyers also subpoenaed two other witnesses for the Monday hearing, bringing the number on their roster to 169.

The lawyers subpoenaed Leroy S. Jameson of 3435 Arapaho Road in Richardson and Dallas News columnist Paul Crume.

Judge Joe B. Brown will decide whether Ruby should stand trial in Dallas or another county on a charge of murdering Lee Harvey Oswald. While millions watched on television, Ruby shot Oswald after the 24-year-old Marxist had been accused of assassinating President Kennedy.

Johnson, who emphasized he was speaking as an individual, said Wednesday that Belli had violated canons of ethics of the American Bar Association and the State Bar of Texas by making statements about the Ruby case.

Johnson noted these canons specify lawyers shall not seek publicity.

Johnson said he does not believe Belli is subject to disciplinary action by the State Bar since he is not a Texas lawyer.

The Dallas Bar Association at its Friday meeting will hear District Judge Dee Brown Walker discuss proposed revisions in the Texas canons of ethics. One would strengthen Canon 17, which prohibits a lawyer from seeking publicity.

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1/2 "The Dallas
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Houston 'Great,' Belli Says as He Talks Trial Shift

Melvin Belli said Thursday in New York he would be "tickled to death" if the Jack Ruby murder trial is moved from Dallas to Houston.

Belli, who said Houston is "terrific," "tolerant" and "great," made the comments in a telephone interview, the Associated Press reported.

The hearing will begin Monday in Dallas on a defense motion to change the site of the trial. The defense, headed by Belli, contends Ruby cannot get a fair trial here in the slaying of Lee Harvey Oswald, accused assassin of President John F. Kennedy.

Belli said if the change of venue is not granted the defense will not ask for further delay.

(Mount Clipping in Space Below)

Bar President, Judge Charge Belli Violated Code of Ethics

Attorney Melvin Belli, chief counsel for the defense of Jack Ruby, has been refused permission to participate in a personal injury lawsuit in Anchorage, Alaska, and the president of the Dallas Bar Association Wednesday said he believed Belli has violated ethical codes governing the conduct of lawyers in connection with the Ruby case.

Superior Court Judge Ralph Moody in Alaska told the Associated Press he had denied Belli permission to take part in the suit because he had violated professional ethics of the American and Alaska Bar Association last September in an interview with an Anchorage newspaper.

Belli denied the charges in New York Wednesday, the Associated Press reported.

Judge Moody was quoted by the Associated Press as saying Belli violated Canon 20 and Canon 27 of the bar codes. Canon 20, he described as saying public statements about pending court action may interfere with a fair trial, and Canon 27, he said, declares it unprofessional for an attorney to advertise himself directly or indirectly.

In the interview with the Alaska newspaper, Belli was quoted as saying he considered damages awarded by Alaska juries in personal injury cases too small, and

that insurance companies "are running the courts and the court calendars in Alaska."

"I did not violate any ethics. I made a statement which was true. I stick by the statement," Belli told the Associated Press Wednesday.

Hubert D. Johnson, president of the Dallas Bar Association, in saying Belli has violated ethical codes, said he was speaking as an individual. He added, however, that he believed his views represented the opinion of most Texas lawyers.

"The American Bar Association and the State Bar of Texas have canons of ethics," Johnson pointed out. "Among other things, they prohibit lawyers from trying their cases in the newspapers and from making public statements about their evidence and what they intend to prove."

"I do not believe any reputable lawyers like to see these canons violated, either by a member of the State Bar or by a lawyer trying cases in a Texas court by permission."

As chief defense attorney for Jack Ruby, who is scheduled to stand trial here Feb. 17 on a charge of murdering Lee Harvey Oswald after Oswald had been accused of shooting President Kennedy here, Belli wants the trial transferred to another county.

Belli told reporters in New York Tuesday that "the people of Dallas, perhaps unconsciously, have to have a sacrifice in order to cleanse themselves . . ."

Dist. Atty. Henry Wade termed the statement "too silly to warrant a reply."

Wade added that he has refrained "from trying this case in the papers," but has found this increasingly difficult as a result of Belli's tactics.

Since Belli is not a member of the State Bar here, Johnson said, the California lawyer is not subject to its disciplinary procedures.

Johnson said Belli, who has homes in San Francisco and Los Angeles, "paid lip service" to the canons when he first came to Dallas and indicated he would comply with them. But, the bar association president said, Belli "now appears to have a complete disregard" for the canons which prohibit a lawyer from publicizing his cases.

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900 Prospects Due Call for Ruby Jury

By CARL FREUND

Courthouse officials will mail notices Friday to 900 prospective jurors for the Jack Ruby murder trial.

They termed the panel "the biggest ever called" for a Dallas County criminal trial.

C. A. Maxwell, bailiff of the central jury room, said clerks are preparing the notices. They direct prospective jurors to report Feb. 17—the day Ruby is scheduled to stand trial on a charge of murdering Lee Harvey Oswald.

While millions watched on television, Ruby lunged forward in the City Hall basement Nov. 24 and fired a bullet into Oswald. The shooting came only two days after police had arrested Oswald as the No. 1 suspect in the murders of President John F. Kennedy and Patrolman J. D. Tippit. "We'll put the notices in the mail Friday," Maxwell said. "Those called for jury duty should receive them Saturday or Monday."

Normally, the bailiff said, only 650 men and women are called for jury service. An additional 150 were chosen for the week of Feb. 17 because of the Ruby trial.

Maxwell said he expects "about 500" to appear.

Others will fail to get notices because they have changed addresses or will claim exemptions.

Meanwhile, Judge Joe B. Brown of Criminal District Court No. 3 said he has arranged for witnesses

to use one floor of a building at 501 Elm St. as a "waiting room" during a hearing scheduled to begin Monday.

It will determine whether Ruby stands trial in Dallas or another county.

If the trial is transferred or delayed, Judge Brown said, numerous prospective jurors will be excused after they report Feb. 17.

Although defense lawyers have subpoenaed 165 witnesses for the hearing, Judge Brown said he hopes to complete it within three days.

Dist. Atty. Henry Wade said he will attempt to limit defense testimony and stop Ruby's lawyers from presenting evidence "which has nothing to do with his case."

Defense lawyers say Ruby cannot get a fair trial here because Dallas residents feel the city is "on trial." Wade says lawyers can choose an impartial jury here.

Chief defense attorney Melvin Belli declared in New York City Tuesday night that Dallas "has been deeply scarred" by the assassination of President Kennedy and the slaying of accused assassin Lee Harvey Oswald.

As a result, he continued, the people want to send Ruby to a "public abattoir (slaughterhouse) to cleanse themselves. They feel that the best way to prove that it is a law-abiding community would be to give him a fair trial—and then hang him," United Press International reported.

(Indicate page, name of newspaper, city and state.)

1
"The Dallas
Morning News"
Dallas, Texas

Date: 2 16 64
Edition:
Author:
Editor: Jack B. Krueger
Title:

Character:
or
Classification:
Submitting Office: Dallas
☐ Being Investigated

144-24016-A
NOT RECORDED
128 FEB 19 1964

TOP CLIPPING

PAGE 2-1

FROM

INDEXED FILE AND INITIALED

68 FEB 20 1964

(Mount Clipping in Space Below)

Tactics of Belli Bring Criticism

The outspoken and flashy chief defense attorney for Jack Ruby around his professional ethics a matter of serious discussion Wednesday in Dallas — and in Anchorage, Alaska.

The head of the Dallas Bar Association, Hugh D. Johnson, and he personally felt that if Melvin Belli were a Texas lawyer he would be courting a visit by the State Bar's Grievance Committee.

Mr. Johnson referred to remarks made Tuesday in New York by Mr. Belli to the effect that Dallas had chosen Ruby as a scapegoat.

And Superior Court Judge Ralph Moody at Anchorage, Alaska, said Mr. Belli has been refused permission to participate in a personal injury case because of remarks in a newspaper interview.

Judge Moody referred to remarks by Mr. Belli accusing insurance companies of "running the courts" and the court calendars

in Alaska," according to The Associated Press.

Mr. Belli denied unethical conduct in the Alaskan incident. There was no immediate comment on Mr. Johnson's charge.

The San Francisco attorney prompted Mr. Johnson's criticism with a public remark that he was seeking a change of venue for the Ruby trial because "the people of Dallas, perhaps unconsciously, have to have a sacrifice in order to cleanse themselves, to prove that Dallas is a law-abiding community."

"They feel if Ruby is executed it would re-establish some sense of law and order," the Associated Press quoted Mr. Belli as saying.

Mr. Belli, in New York to promote a book he has written, described his client to newsmen as "a Damon Runyon character."

"He is a scrounger with a million and one different ventures. He builds up in his own mind

all sorts of grandiose ideas," Mr. Belli said.

Mr. Johnson said Canon 17 of the Texas Bar Association says that a member of the bar should not publicize pending litigation.

WANTED TO COMPLY

The Dallas Bar president said he understood that when Mr. Belli came to Dallas he indicated he wanted to comply with Texas Bar canons.

"Don't you see it (Mr. Belli's New York remarks) as a form of ignoring these canons?" asked Mr. Johnson. "It would seem to me that he is doing just what our canons forbid."

Mr. Johnson said, "If a Texas lawyer did the same thing he would be subject to a call by the State Bar functionaries (the Grievance Committee)."

The bar's committee, he said, has the power to suspect a lawyer or — in aggravated cases — recommend his disbarment.

Dallas Dist. Atty. Henry Wade, commenting on Mr. Belli's actions, said he tried "to abide by the canons of the State Bar but its most difficult when you have an opposing attorney who violates the canons daily."

Mr. Johnson, in criticizing Mr. Belli, added that he felt "the state has not always been circumspect in the Ruby case."

(Indicate page, name of newspaper, city and state.)

1 "The Dallas
Times-Herald"
Dallas, Texas

Date: 2-5-64
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Ruby Trial Facilities Unsolved

Problems of providing adequate space for witnesses, reporters and attorneys involved in the Jack Ruby change of venue hearing remained critical Wednesday.

Dist. Judge Joe B. Brown said negotiations have fallen through for use of a building adjacent to the Dallas County courthouse to house some 170 witnesses called by the defense for the hearing Monday.

The building at 501 Elm houses a garment factory, and a vacant space in the structure was thought available. Judge Brown said Wednesday he had been informed that because of some insurance technicalities, the space could not be used as a witness waiting room.

"We are still working on the problem of housing the unusually large number of witnesses called for next Monday's hearing," Judge Brown said.

The judge said he would confer further with courthouse officials in an effort to solve the space problem. He pointed out, however, that Dallas County courthouse facilities have long been crowded. Judge ~~Brown's~~ courtroom holds a maximum of 60 persons.

(Mount Clipping in Space Below)

By PAUL CRUME

WHILE DIST. Atty. Henry Wade and his assistant, Bill Alexander, were meeting with the presidential commission investigating the assassination of President Kennedy, someone mentioned that Jack Ruby had been out one day taking a picture of a sign on a lawn.

"What kind of sign?" asked Chief Justice Earl Warren.

"This is embarrassing. Mr. Chief Justice," said Wade, having worked up his courage, "but it was an 'Impeach Earl Warren' sign."

The silence was heavy for a moment.

"But, Mr. Chief Justice," broke in Alexander hurriedly, "it wasn't a very big sign."

The Chief Justice seemed hugely amused by the whole thing, but he observed that he was not quite as objective about the size of these signs as his Texas visitors might be.

"None of them seem small to me," he said with a grin.

At least, that's the story being told Monday around Joe Banks' cafe, which is as good a place as any to hear the gossip.

(Indicate page, name of newspaper, city and state.)

1 "The Dallas
Morning News"
Dallas, Texas

Date: 2 4 64

Edition:

Author:

Editor: Jack B. Krueger

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DATED 2-13-64

68 FEB 20 1964

AIR-FF-111-111

(Mount Clipping in Space Below)

Ruby Lawyers Call 76 More Witnesses

Attorneys for Jack Ruby subpoenaed another 76 witnesses Monday for the Feb. 10 hearing which will determine whether he will stand trial in Dallas.

They included City Mgr. Elgin Crull, Superintendent of Schools W. T. White, County Judge Lew Sterrett, U.S. Dist. Atty. Barefoot Sanders, religious and business leaders, and newspapermen.

This brings to 165 the number of witnesses which defense lawyers have subpoenaed for the hearing in Criminal District Court No. 3. The lawyers contend Ruby could not get a fair trial here on a charge of murdering Lee Harvey Oswald, who had been accused of assassinating President Kennedy.

Dist. Atty. Henry Wade, who accused Ruby's lawyers of "frivolous conduct," contends the slayer could get a fair trial here.

Among witnesses on the new roster are Bishop Thomas K. Gorman, pastors of churches throughout Dallas, City Councilman Joe

H. Golman, Edward Marcus, Angus Wynne Jr., W. Dawson Sterling, Robert L. Thornton Jr. and R. D. Lee Starr.

Also subpoenaed was Mrs. Eleanor Cowan, the Dallas teacher who became the center of a controversy after she sent a letter to Time magazine.

Another defense subpoena directed John McKee, president of the Dallas Crime Commission, to bring commission records which relate to the "failure of Dist. Atty. Henry Wade to get indictments and prosecute 83 persons charged with murder during the past two years."

Meanwhile, Judge Joe B. Brown predicted at least 300 reporters and photographers from throughout the world would converge on Dallas for Ruby's trial if it is held here. Judge Brown said he will attempt to "make arrangements to accommodate everybody," although only 47 seats will be available in his courtroom for members of the press.

(Indicate page, name of newspaper, city and state.)

1 "The Dallas
Morning News"
Dallas, Texas

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FROM
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68 FEB 20 1964

44-7416-A
NOT RECORDED
128 FEB 19 1964

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Mr. Tolson	_____
Mr. Belmont	_____
Mr. Mohr	_____
Mr. Casper	_____
Mr. Callahan	_____
Mr. Conrad	_____
Mr. DeLoach	_____
Mr. Evans	_____
Mr. Gale	_____
Mr. Rosen	_____
Mr. Sullivan	_____
Mr. Tavel	_____
Mr. Trotter	_____
Tele. Room	_____
Miss Holmes	_____
Miss Gandy	_____

RUBY REPORTED IN CUBA IN 1962

Student Directorate Dele- gate Gets Word

Jack Ruby was in Cuba as late as last year, a New Orleans delegate of the Cuban Student Directorate asserted Monday.

Ruby is charged in Dallas, Texas, with slaying Lee H. Oswald, accused assassin of President John F. Kennedy.

Carlos Bringuier said Monday he was informed by the Miami headquarters of the Cuban Student Directorate that Ruby was in Cuba at the end of 1962 and the beginning of 1963.

He said a message was sent last week through the organization's radio program on WRUL in New York City to the group's agent in Havana named "Chavella."

The agent was asked to confirm or deny that Ruby had made a trip later than one in 1959 which was made known previously. The 1959 trip was reportedly an attempt by Ruby to negotiate a jeep trade deal.

The agent said, according to Bringuier, that Ruby arrived in Havana at the end of 1962, flying from Mexico, and stayed in Havana until January, 1963.

The agent reported that Ruby frequently visited a tourist store on the Paseo del Prado that was located immediately in front of the Hotel Sevilla.

(Indicate page, name of newspaper, city and state.)

Page 7 Sec. 1

THE TIMES PICAYUNE
NEW ORLEANS, LA.

Date: 2/4/64

Edition:

Author:

Editor:

Title: Jack L. Ruby, aka;
Lee Harvey Oswald,
aka-VICTIM (Deceased)

Character: CR

or

Classification: 44-24016

Submitting Office: New Orleans

44-24016-A

F.B.I.
6-10-64

FEB 11 1964 44-24016

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RUBY TRIAL PANEL UPPED

Record 170 Venue Witnesses Demand Special Arrangement

Officials said Tuesday 250 extra jury summonses are being issued for the week of the Jack Ruby murder trial and that a privately-owned building will be used to house the 170 witnesses called for the Ruby venue hearing.

C. A. Maxwell, bailiff of the central jury room, said he will summon 900 veniremen for the district courts the week of Feb. 17, when Ruby is slated to go on trial for the murder of Lee Harvey Oswald. Normally 650 are summoned.

Mr. Maxwell said, and several hundred of these are usually excused for various reasons. Meanwhile, Judge Joe B. Brown announced that vacant space in a building adjacent to the courthouse complex will be used to house the extraordinary number of witnesses subpoenaed for the hearing on change of venue which is scheduled to begin Feb. 10.

The defense, which already had prepared 90 subpoenas for witnesses for the hearing, sought subpoenas Monday for 80 additional witnesses.

"Due to the lack of space and the large number of witnesses called for the hearing, a facility has been made available to the court at 501 Elm St. to accommodate the witnesses," Judge Brown said.

Judge Brown also said that after witnesses are sworn in before the court Monday a system probably will be devised which will allow most of the witnesses to be dismissed until the day they testify.

(Indicate page, name of newspaper, city and state.)

5 "The Dallas
Times-Herald"
Dallas, Texas

Date: 2 3 64
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Author:
Editor: Felix R. McKnight
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Character:
or
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44-24016-A
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128 FEB 19 1964

~~Clarks~~ of other Dallas County criminal district courts pitched in Tuesday to help Judge Brown's clerk prepare the 80 new subpoenas sought by defense attorneys.

The list includes city government officials, employees of The Times Herald and other newspapers and radio stations, pastors and police officers and brings the total subpoenaed for the hearing to 170.

Sheriff's sources said most of the 90 subpoenas issued earlier have been served by a team of 14 deputy sheriffs. Serving of the new batch was to resume as they are typed and approved by the court.

The subpoena list included these Times Herald staffers:

Carl Burgen, Don Safran, Joe Sperman, Al Hester, Bob Jackson, Jim Lehrer, Stewart M. Doss, Bob Fenley, John Schoellkopf, Bill Burrus, Bob Taylor, Warren Bosworth, Darwin Payne, Vivian Castleberry, Hunter Schmidt, George Carter, Frank Langston, Charles Dameron, Bob Hauton, Felix R. McKnight, Stan Weinberg and Bob Brock.

Also listed with Times Herald employees were a former staffer, Mrs. Conoly Hester; Associated Press columnist James Marlowe; syndicated columnist Henry J. Taylor, Newman McLarry and Dr. Lloyd V. Berkner.

Other newsmen subpoenaed were:

Bob Walker, Tom Perryman and Charles H. Britt Jr., all of Radio Station WFAA; Russell Knight of Radio Station KLIF; Wes Wise of Radio Station KRLD; Lorrie Brooks and John Brakeham of the Dallas Morning News; and ~~Lar~~ nic Hudkins of the Houston Post.

Businessmen, civic leaders and government officials listed were: Barefoot Sanders, Edward Marcus, Joe H. Golman, W. Dawson Sterling, Angus Wynne Jr., Mrs. Charles Marcus, James Smith, Mrs. Edwin C. Fritz, J. Howard Payne, Jack Goren, R. D. (Lee) Starr, Robert L. Thornton Jr., E. R. Haggar, M. M. Cress, Dr. W. T. White.

Also Andrew Armstrong, Elgin Crull, Bill Willis, Mrs. Eleanor Cowan, H. Louis Nichols, Clayton Fowler, Pierce McBride, Wayne Woodruff, J. R. Phillips, Judge W. L. Sterrett.

Dallas religious leaders and lay workers listed were:

Bishop Thomas K. Gorman, Dr. Dean Harrison, Rev. George French Kempsell Jr., Mrs. Edwin Toblowsky, Rev. Oscar Huber, Mrs. Stanley Weinberg, Rev. Russell Muller, Dr. Robert Raible.

Law enforcement officers subpoenaed were:

Capt. H. M. Kriss, Sgt. R. A. Cox, Asst. Chief M. W. Stevenson, FBI Agent Ray Hall, Detective Joe Cody, Officer D. L. Blankenship, Lt. George Butler.

Four duces tecum subpoenas were issued requiring J. Dean Campbell of the Times Herald to bring all copies of all editions of The Times Herald from Nov. 22 through Feb. 10, Ray Zaubert to bring all copies of his Oak Cliff Tribune, the circulation manager of the Dallas Morning News to bring all copies of all editions of his paper and for John Mckee to bring records of his investigation of alleged failure of the district attorney's office in murder prosecutions.

Space at Ruby Trial Remains Problem

Dallas County officials appear no closer to solving the problem of providing working space for an expected 300 news media representatives who will be assigned to the trial of accused murderer Jack Ruby. Courthouse building supervisors have said they have working space for only about a dozen ~~reporters~~

because all existing courtrooms will be in use during the trial if it begins on schedule Feb. 17.

Criminal Dist. Court No. 3, where Judge Joe B. Brown presides, has a spectator seating capacity for approximately 60. During the hearings already concluded only 40 seats were reserved for newsmen.

(Mount Clipping in Space Below)

BELLI IN POST

Ruby's Counsel Subject of Story

The Saturday Evening Post turns its attention this week to Jack Ruby's chief defense attorney, Melvin Belli.

In an article titled "A Flashy Lawyer for Oswald's Killer"—penned by Richard Warren Lewis—The Post's Feb. 8 issue focuses on the San Francisco lawyer as "one of the most successful, most controversial and most flamboyant of present-day lawyers."

Mr. Belli was quoted in San Francisco papers as saying he would sue the Post for enough to make the Wally Butts case look like it should have been in small claims court, if the magazine published the article.

The article centers on Mr. Belli's penchant for flamboyancy and controversy, quoting him as saying "I can afford to be flamboyant because I am a ---- good lawyer."

The Post feature dwells on Belli's courtroom technique and way of life, pointing out his pre-eminence in personal injury cases involving presentation of sometimes complicated medical testimony through models and special demonstrations.

The article covers Belli's three homes, including one with a \$16,000 bathroom, and his office—a three-story building which has become a sightseeing attraction—and the elaborate parties he likes to host.

His enjoyment of twisting the tail of what Belli terms "the monumental bureaucratic oppression of city government and major corporations" is touched on, including his presentation of racketeer Mickey Cohen as an Irish income tax expert to an American Bar Association meeting.

Belli claims to know as much "medicine" as law and the Post reviews the fascination psychiatry and psychology hold

for Belli and his use of such testimony in his trials.

Of the Ruby trial, Belli is quoted as saying, "What we're trying is whether Ruby was deprived of his senses—that's what no one saw. It will require the testimony of the finest psychiatric experts . . ."

(Indicate page, name of newspaper, city and state.)

7

"The Dallas
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Dallas, Texas

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Edition:

Author:

Editor: Felix R. McKnight

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Submitting Office:

Dallas

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128 FEB 19 1964

TOP CLIPPING

DATED 2-11-64

FROM 1

MARKED FILE AND

INITIALED reviews the fascination psychiatry and psychology hold

Ruby's Travels Included Trips to Cuba and Mexico

Last in a Series

By Jack Ruby

And William Read Woodfield

DALLAS — The following is the last half of an interview with Jack Ruby, who is to be tried in Dallas for the murder of Lee Harvey Oswald:

Q—We have heard that you traveled to Cuba. Would you tell us about this and about any other traveling you have done?

A—Well, three or four months ago I went to New Orleans and stopped off at Aetna to see Candy Barr (an exotic dancer). I spent two days with her. I was also in Houston. I haven't been back to Chicago since 1958.

Q—What about foreign travel?

A—I only went to Laredo and Juarez, Mexico. Also to Windsor, Canada, out of Detroit. I did go to Cuba in '59. I had a good friend there from Dallas named L. C. McWhiters (Las Vegas gambler). He wanted me to come to Cuba to see him. He sent me the plane ticket to Havana. I stayed 8 or 10 days.

Q—Did you have anything to do with Cuban politics?

A—No. I didn't fool around at all in any political activities in Cuba. I bought a ticket to a day-long celebration, that's all. I never went back and I had never been there before. And I haven't received any letters from Cuba.

Q—Did you ever run guns into Cuba?

A—No. But when Castro came into power, I thought Cuba was going to be a new and democratic country and I tried to sell them surplus jeeps. I was going into the G.I. surplus business. I saw a lawyer about it in Houston, Tex., but he told me I was too little a punk for such a deal. But there was no talk of gun running. A lot of people have called the FBI and told them a lot of things, just trying to get into the act.

Q—What organizations do you or did you belong to?

A—The Boy Scouts, the Democratic Party, the Variety Club and AGVA, the entertainment union. I was never a member of the Communist Party or any such thing, or any subversive organization. I made donations to Angels, Inc., which is a home in Dallas for homeless kids. As for the Fair Play for Cuba Committee, I do not belong to it, never belonged to it and I have never received any literature from it or any other Cuba organization. I once had an argument with some guy about communism and had to throw him out of the club.

Q—Have you ever had any trouble with mental illness? Or has your family had a history of mental illness?

A—Well, I've been hit on the head a few times but I don't have a metal plate in my head or anything like that. There's no history of mental illness. In 1958 my brother, Earl, had some problems and had himself committed to the Veterans Administration hospital. My mother, who passed away in 1943, thought my father was taking the children's love from her but I don't know if that means anything.

Q—Have you ever thought of suicide?

A—I was very depressed when my business failed in '52. I broke down completely. I wanted to commit suicide. I just stayed in the Cotton Bowl Hotel for several weeks. I didn't want to face people. I was ashamed of being a failure in Dallas. I left for Chicago. Earl helped me a lot. I found the courage to return to Dallas and I've been here ever since.

Q—Let's go into your feelings about the events of November 22.

A—I was in mourning from the minute I heard the news. The world had come to an end.

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Evans _____
Gale _____
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Sullivan _____
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Tele Room _____
Holmes _____
Gandy _____

The Washington Post and Times Herald

The Washington Daily News

The Evening Star

New York Herald Tribune

New York Journal-American

New York Mirror

New York Daily News

New York Post

The New York Times

The Worker

The New Leader

The Wall Street Journal

The National Observer

People's World

Date _____

NOT RECORDED

128 FEB 7 1964

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79 FEB 10 1964

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 Tele Room _____
 Holmes _____
 Gandy _____

Q—How did you feel about Oswald?

A—When he appeared before me, something inside me went blank and it just tore out of me. I never saw that kind of person (Oswald) before in my life. Oswald had blemished this beautiful city. Those are the things that went through my mind. No one knew I was going to shoot Oswald—not even me. I had not discussed it nor thought of it. There was nothing to discuss. No one helped me or gave me access.

Q—Do you feel you did a service to the United States by shooting Oswald?

A—No. It isn't a service to the country. It's a shame. But I didn't do it intentionally. I didn't even know I had done it. I'm sorry I did it. I've embarrassed my country.

Q—What do you think should be done with you?

A—I feel that something should be done with me. I'm willing to go into a mental hospital and stay as long as it's necessary, even if it's the rest of my life. I've offered to submit to truth serum test,

polygraph test or any other scientific test the FBI wanted. They said they didn't want me to. I want to be bona fide with the FBI.

Q—Are you sorry?

A—Yes.

Q—Would you do it again?

A—Oh, hell, no!

Q—What if Oswald were not the man?

A—Then Dallas police and the District Attorney's office made a hell of a mistake. My attorneys tried to get Henry Wade to agree in court that Oswald was the killer of our

President. Henry Wade refused. I can't understand why. With my own ears I heard Henry and Chief Fritz say there was no doubt that Oswald was the assassin and he said Oswald wasn't insane, that he knew what he was doing, that he planned the murder of our President and Henry promised that he would kill Oswald in the electric chair.

I know Henry Wade is an honest man. I believed him.

Oswald was a dead man before I shot him.

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The Washington Post and Times Herald _____
 The Washington Daily News _____
 The Evening Star _____
 New York Herald Tribune _____
 New York Journal-American _____
 New York Mirror _____
 New York Daily News _____
 New York Post _____
 The New York Times _____
 The Worker _____
 The New Leader _____
 The Wall Street Journal _____
 The National Observer _____
 People's World _____
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 Evans _____
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 Rosen _____
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 Tele Room _____
 Holmes _____
 Gandy _____

Ruby Denies Ever Knowing Lee Oswald

Fifth in Series

By Jack Ruby

And William Read Woodfield

DALLAS — The following is the first of a two-part interview of Jack Ruby, who is to be tried in Dallas for the murder of Lee Oswald.

Q: Did you ever know Lee Harvey Oswald?

A: I never saw him in the Carousel Club, never in the world, at any time. The master of ceremonies at the club, Bill DeMarr, said he thought he had seen Oswald at the club but now he denies he ever saw him. It was such a shock to me because Bill has such a wonderful memory.

I never heard Oswald's name and I usually greet customers at the club by name.

Someone even said I once had an apartment next to Os-

wald but this is absolutely not true.

Q: Why did you carry a gun?

A: I've been cut at, knifed at and the only way to get respect in Dallas is to carry a gun and the thugs and hoodlums know it. Hoods can cause all kinds of trouble. They get put in jail and get out the next morning with a mere \$10 fine. That's the way it is in Dallas and that's why I carried a gun, to protect my business and my money. I have no permit—they know it—but they know all night club owners carry guns. You have to carry a gun. Dallas is like a jungle.

Q: What are your feelings toward the Dallas police and how do they feel towards you?

A: I love the Dallas police.

I love the Department. I love to hang around there. They handle civil rights with less fuss than any town.

We often have off-duty policemen working in the Carousel to keep order. They get \$7 per night. This is common. Christmas, cops get whisky. But the police never have their hands out in Dallas. They get a special price on beer in the club—40 cents instead of 60 cents—but they don't drink while they're on duty. And I don't make them pay the cover charge to come in. I never ask an officer to do special favors for me.

I pass our permanent guest cards for the Carousel to certain people to use any night but Saturday and Sunday. I give these cards to the police. It's public relations. Bill Atex-

The Washington Post and Times Herald _____
 The Washington Daily News _____
 The Evening Star _____
 New York Herald Tribune _____
 New York Journal-American _____
 New York Mirror _____
 New York Daily News _____
 New York Post _____
 The New York Times _____
 The Worker _____
 The New Leader _____
 The Wall Street Journal _____
 The National Observer _____
 People's World _____
 Date _____

44-24016-1

NOT RECORDED

128 FEB 7 1964

...and, the Deputy District Attorney who is prosecuting me, has a complimentary card. Bill and I were great friends—that is, until he brought a prosecution psychiatrist, Dr. Holbrook, to jail to examine me. It hurts to have your faith shaken in your friends. Then, after that, Bill came back with another doctor but I wouldn't see him. I remembered that Dr. Holbrook talked to me for about an hour. He didn't have a stenographer or a tape machine and we didn't get into talking about the shooting at all.

Three days before the shooting, Bill Alexander told me he heard I was upset because a competitor was hiring Candy Barr (an exotic dancer), bringing her back to Dallas. She was run out of Dallas after serving a jail sentence. Bill said, "If you know anybody she's running with that's wrong, you let me know and nobody will ever know you told me." It was then I gave him the complimentary card to the Carousel. Bill took it, signed his name and I took it back to have it plastic-coated for him. Now the card is missing. They searched my office and confiscated it. Bill told Captain Fritz, "See that Jack gets his rights." The next day he came in with the psychiatrists.

What a friend!

Q: Let's get back to your police record. Have you ever been arrested for anything other than fighting?

A: They were mostly minor fights. I had a little trouble with the liquor men. Then I was in traffic court and was pulled in for carrying a gun. Even though I know many of the officers, I never asked anyone to dismiss a case against me. Only once did I ever have trouble with an officer. He tried to rough me up. I hit him with my pistol and when I apologized to the Captain, he told me to forget it. They didn't want cops like this one on the force.

Q: Have you ever been involved in pandering?

A: Absolutely not. I never

took a prostitution dime. I never pushed prostitutes at all. I have been described as hypersensitive, hypermoral. Andy Anderson, who works at the Carousel, will swear I never took calls for prostitutes at the place.

SUNDAY: Final question and answers.

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(Mount Clipping in Space Below)

McKee Feels Ruby Can Get Fair Trial

Dallas Crime Commission President John McKee Friday said he believes Jack Ruby can receive a fair trial in Dallas for the murder of accused presidential assassin Lee Harvey Oswald.

But McKee, speaking at the commission's first meeting since President Kennedy was killed, said the opinion is his as a private citizen and not necessarily the position of the commission.

He said the commission will not issue any statements concerning the assassination or the killing of Oswald until after Ruby's murder trial is completed.

A subpoena ordering McKee to appear as a defense witness at the Feb. 10 change-of-venue hearing for Ruby has been issued. But McKee said he had not been served with the paper Friday morning.

"I think Ruby can get a fair trial here," he said. "The intelligence of the people of Dallas is as high or higher than anyone in the state."

Dist. Atty. Henry Wade's office was preparing an affidavit to be signed by McKee and Grand Prairie oil distributor W. C. Hardman, denying that any prejudice exists in Dallas that would re-

sult in Ruby not getting a fair trial.

(A similar affidavit is being prepared for Wade himself and Assistant Dist. Atty. William F. Alexander.)

McKee told Crime Commission directors—who he thinks also will be subpoenaed—that he doesn't believe that anyone who saw Oswald shot on television could say with certainty that Ruby was the killer.

"They saw a man run up there and shoot him, but they couldn't see his face, they can't say for sure that it was Ruby," he said.

The directors agreed that residents of Dallas should "keep their heads" and not react violently to the accusations being made against Dallas by news media and residents from other parts of the nation.

"This whole area is being needled by experts about something over which we had no control," said Willard Crowder, a member of the commission.

McKee said there will be no trouble if the citizens, and the commission and law enforcement agencies in particular, will continue to deal with these "outsiders" by giving them factual information about the tragic events and about Dallas.

(Indicate page, name of newspaper, city and state.)

5 "The Dallas
Morning News"
Dallas, Texas

Date: 2-1-64
Edition:
Author:
Editor: Jack B. Krueger
Title:

Character:
or
Classification:
Submitting Office: Dallas
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TOP CLIPPINGS

DATED 2-1-64

FROM

MARKED FILE AND INITIALED

68 FEB 20 1964

NOT RECORDED

128 FEB 19 1964

EIGHT SEVEN SEVEN

ON 'CHEER' REPORT

Attorneys to Quiz Minister, Teacher

Attorneys for Jack Ruby planned to question a pastor and a teacher about reports that children cheered after they heard that President John F. Kennedy had been assassinated here.

Sheriff Bill Decker's deputies were serving subpoenas Friday on Rev. William Holmes, pastor of Northaven Methodist Church, and Miss JoAnna Morgan, a 22-year-old English teacher at Lake Highlands Junior High School in the Richardson School District.

The subpoenas direct both to appear at a Feb. 10 hearing in Criminal District Court No. 3. Judge Joe B. Brown will decide whether Ruby should stand trial here or in another county on a murder charge filed after he shot Lee Harvey Oswald, accused assassin of Kennedy.

The 34-year-old pastor touched off a controversy when he said on a network television program that some school children had applauded upon hearing how a sniper killed Kennedy.

Miss Morgan, who attended his church, said she had heard students shouting "we're free" as they trooped down a hall.

Principal Dan Lair said, however, that students were "shocked and grieved." Many were tearful, he said.

In other developments:

Sheriff Decker said Ruby com-

plained of a headache — possibly an aftermath of the spinal tap he underwent during laboratory tests this week.

—Harried deputies prepared to serve another 100 subpoenas which defense lawyers say they will file in an attempt to prove Ruby could not get a fair trial here.

—U.S. Dist. Atty. Barefoot Sanders said he has received no request from defense lawyers to see FBI reports although they stated they would ask to see them. Asked whether the Justice Department would grant the request, Sanders said, "We'll cross that bridge when we get to it."

—Dist. Atty. Henry Wade refused to confirm or deny Dallas News stories that tests failed to show that Ruby had suffered significant physical brain damage. The News received its information from informed sources.

Ruby's lawyers apparently hope to use testimony from the pastor and teacher to back up their claim that Dallas residents feel "the city itself is on trial" as a result of the assassination and the slaying of Oswald.

Wade contends there is only one issue: Could attorneys get a jury here which would decide the case solely on the basis of evidence from the witness stand and legal instructions given by the court.

—CARL FREEMAN.

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*File
6-11/1*

Ruby Denies Ever Knowing Lee Oswald

Fifth in a Series

By Jack Ruby
 And William Read Woodfield

DALLAS — The following is the first of a two-part interview of Jack Ruby, who is to be tried in Dallas for the murder of Lee Oswald.

Q: Did you ever know Lee Harvey Oswald?

A: I never saw him in the Carousel Club, never in the world, at any time. The master of ceremonies at the club, Bill DeMarr, said he thought he had seen Oswald at the club but now he denies he ever saw him. It was such a shock to me because Bill has such a wonderful memory.

I never heard Oswald's name and I usually greet customers at the club by name.

Someone even said I once had an apartment next to Os-

wald but this is absolutely not true.

Q: Why did you carry a gun?

A: I've been cut at, knifed at and the only way to get respect in Dallas is to carry a gun and the thugs and hoodlums know it. Hoods can cause all kinds of trouble. They get put in jail and get out the next morning with a mere \$10 fine. That's the way it is in Dallas and that's why I carried a gun, to protect my business and my money. I have no permit—they know it—but they know all night club owners carry guns. You have to carry a gun. Dallas is like a jungle.

Q: What are your feelings toward the Dallas police and how do they feel towards you?

A: I love the Dallas police.

I love the Department. I love to hang around there. They handle civil rights with less fuss than any town.

We often have off-duty policemen working in the Carousel to keep order. They get \$7 per night. This is common. Christmas, cops get whisky. But the police never have their hands out in Dallas. They get a special price of beer in the club—40 cents instead of 60 cents—but they don't drink while they're on duty. And I don't make them pay the cover charge to come in. I never ask an officer to do special favors for me.

I pass our permanent guest cards for the Carousel to certain people to use any night but Saturday and Sunday. I give these cards to the police. It's public relations. Bill Alex-

Jack L. Ruby
 Harvey Lee Oswald - Victim (Deceased)
 Civil Rights

61-1-20016

The Washington Post and Times Herald *C-12*
 The Washington Daily News _____
 The Evening Star _____
 New York Herald Tribune _____
 New York Journal-American _____
 New York Mirror _____
 New York Daily News _____
 New York Post _____
 The New York Times _____
 The Worker _____
 The New Leader _____
 The Wall Street Journal _____
 The National Observer _____
 People's World _____
 Date *2-1-1964*

NOT RECORDED

128 FEB 17 1964

79 FEB 10 1964

under, the Deputy Fritz Attorney who is prosecuting me, has a complimentary card. Bill and I were great friends—that is, until he brought a prosecution psychiatrist, Dr. Holbrook, to jail to examine me. It hurts to have your faith shaken in your friends. Then, after that, Bill came back with another doctor but I wouldn't see him. I remembered that Dr. Holbrook talked to me for about an hour. He didn't have a stenographer or a tape machine and we didn't get into talking about the shooting at all.

Three days before the shooting, Bill Alexander told me he heard I was upset because a competitor was hiring Candy Barr (an exotic dancer), bringing her back to Dallas. She was run out of Dallas after serving a jail sentence. Bill said, "If you know anybody she's running with that's wrong, you let me know and nobody will ever know you told me." It was then I gave him the complimentary card to the Carousel. Bill took it, signed his name and I took it back to have it plastic-coated for him. Now the card is missing. They searched my office and confiscated it. Bill told Captain Fritz, "See that Jack gets his rights." The next day he came in with the psychiatrists.

What a friend!

Q: Let's get back to your police record. Have you ever been arrested for anything other than fighting?

A: They were mostly minor fights. I had a little trouble with the liquor men. Then I was in traffic court and was pulled in for carrying a gun. Even though I know many of the officers, I never asked anyone to dismiss a case against me. Only once did I ever have trouble with an officer. He tried to rough me up. I hit him with my pistol and when I apologized to the Captain, he told me to forget it. They didn't want cops like this one on the force.

Q: Have you ever been involved in pandering?

A: Absolutely not. I never

took a prostitution dime. I never pushed prostitutes at all. I have been described as hypersensitive, hypermoral. Andy Anderson, who works at the Carousel, will swear I never took calls for prostitutes at the place.

SUNDAY: Final question and answers.

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(Mount Clipping in Space Below)

2d Ruby Test Result Same, Sources Say

By CARL FREUND

A second "brain wave" test given Jack Ruby supported an earlier conclusion that the 52-year-old slayer had not suffered significant physical brain damage, informed sources said Thursday.

Ruby underwent an electroencephalographic "brain wave" test Tuesday in the Dallas Neurological Clinic at 715 Washington. Another test was given Wednesday at the request of Dr. Martin Towler of Galveston.

Dr. Towler represented the defense on a 3-man team of psychia-

trists appointed to supervise Ruby's laboratory tests.

The Dallas News was told:

—After analyzing the test patterns, Dr. John Holbrook and Dr. Robert Stubblefield agreed there was no significant evidence of organic brain damage or epilepsy marked by "compulsive behavior of an explosive nature."

—Dr. Towler said he was inclined to agree, but wanted to consult with another psychiatrist before expressing a final opinion.

—The psychiatrists noted patterns not normally found, but concluded they were not symptoms of any brain disease or insanity

which would cause Ruby to kill someone.

—The spinal tap showed no evidence of inflammation or pressure on the brain.

—A blood test did not reveal any disease.

The "brain wave" test, often termed an EEG by doctors, measures electrical impulses of the brain. In asking for a second test, Dr. Towler said he thought tests should be given on at least two separate days.

The psychiatrists will prepare reports which they will submit to Criminal District Judge Joe B. Brown and prosecution and defense lawyers. A defense lawyer, Joe Tonahill, said he expects the reports within a week.

Ruby has been held without bond since he shot Lee Harvey Oswald, who had been accused of assassinating President John F. Kennedy.

Defense lawyers presented testimony at a bond hearing that Ruby acted like a robot, without knowing what he was doing, when he shot Oswald.

A psychologist said he believed Ruby was a victim of a form of epilepsy which produced "compulsive behavior."

Mr. Tolson _____
Mr. Belmont _____
Mr. Mohr _____
Mr. Casper _____
Mr. Callahan _____
Mr. Conrad _____
Mr. DeLoach _____
Mr. Evans _____
Mr. Gale _____
Mr. Rosen _____
Mr. Sullivan _____
Mr. Tavel _____
Mr. Trotter _____
Tele. Room _____
Miss Holmes _____
Miss Gandy _____

(Indicate page, name of newspaper, city and state.)

L "The Dallas Morning News" Dallas, Texas

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128 FEB 7 1964

79 FEB 10 1964

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Ruby Test Results Press 'Leaks' Hit

Wade Doubts if Reports Of Exams Are Accurate

By JIM FEATHERSTON, Staff Writer

Dist. Atty. Henry Wade, disturbed over evidence leaks in the Jack Ruby case, said Friday that reports on neurological tests given the nightclub owner probably are not accurate.

The county's chief prosecutor said he is disturbed about evidence being leaked to the press by "unknown persons."

"Results of the tests are evidence and should be presented to the jury and not to the press," the district attorney said.

"I don't know whether the published results of the tests are factual or not. I doubt if they are accurate."

At the same time, an official source who refused to be named confirmed giving out information that tests given Ruby this week did not initially show any significant evidence of organic brain damage or epilepsy in the 53-year-old slayer of accused presidential assassin Lee Harvey Oswald.

Three psychiatrists who supervised the tests, however, say they are still evaluating the test results and will provide reports to Dist. Judge Joe B. Brown, who ordered the tests, and attorneys on both sides. They said Friday that no report had been issued.

(Indicate page, name of newspaper, city and state.)

15 "The Dallas
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Classification:
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68 FEB 20 1964

TOP CLIPPING

DATED 2-13-64

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123 FEB 19 1964

Even if the tests show no apparent physical brain damage suffered by Ruby, it will not weaken his defense of temporary insanity, one of his attorneys said Friday.

"Abnormalities could be present which the tests would not reveal," said J. H. Tonahill of Jasper, a member of Ruby's defense team.

Ruby underwent neurological tests Tuesday and Wednesday at the Dallas Neurological Clinic, at 715 Washington.

The official source said Friday electroencephalographic tests given the night club operator showed some abnormal patterns in Ruby's "brain waves," but not any that were symptomatic of any brain disease.

The source said a spinal tap given Ruby did not reveal evidence of any pressure on the brain and serological tests did not reveal the presence of any disease that would affect Ruby's thinking processes.

At Ruby's bond hearing, earlier this month, Dr. Roy Shafer, a Yale University psychologist, had testified results of tests he had given Ruby in his jail cell indicated the night club operator had suffered some brain damage or a form of epilepsy, which would produce irrational behavior under great emotional stress.

Mr. Tonahill said defense attorneys had hoped the tests would confirm Dr. Shafer's analysis. Lack of evidence of physical brain damage in the tests administered this week, however, would not disprove the Yale psychologist's findings, he added.

The defense attorney said brain damage could be present which the neurological tests given Ruby would not necessarily reveal.

Ruby has been held in the Dallas County jail without bond since shooting Oswald two days after President Kennedy was assassinated. His attorneys dropped efforts to get him out of jail on bond when Judge Brown agreed to order the tests.

The judge will hear defense arguments for moving Ruby's trial from Dallas at a change of venue hearing scheduled before him on Feb. 10. Defense attorneys have subpoenaed nearly 100 Dallasites and indicated Thursday they would ask that subpoenas be issued for an additional 100.

Mr. Wade said earlier the prosecution would not call any witnesses but would file controverting affidavits to the defense motion to move Ruby's trial.

Friday, the district attorney's office was preparing the affidavits—one signed by Mr. Wade and his chief assistant, Bill Alexander, and another by W. C. Hardman, a Grand Prairie oil distributor, and Dallas civic and business leader John McKee.

The affidavits, in essence, deny that any great prejudice exists against Ruby in Dallas so that he could not get a fair and impartial trial.

Defense attorneys had filed 22 reasons a change of venue was necessary. Their basic contention was that Ruby could not get a fair trial while Dallas, itself, was on trial because of President Kennedy's assassination.

Grieved for Slain President

Ruby Says He Shot Because Oswald 'Wiped Out Everything I Lived For'

Fourth in a Series

By Jack Ruby

With William Read Woodfield

In this article, Ruby describes the 24 hours before he shot down Lee Oswald.

DALLAS—About 11:30 a.m.

—I got up, washed, dressed and went to "the wreaths." (The spot in Dallas where President John F. Kennedy was shot was marked with flowers and wreaths by Dallasites).

I saw Officer Chaney (a Dallas policeman with whom Ruby was friendly) on the curb and asked him to show me the window the shots were fired from. He did, and I looked up and felt sick.

At the wreaths, I said, "We grieve for you." I looked at each wreath and read what they said. It was too sad. "We grieve for you, Mr. President," I said to him.

About 1:15 p.m., I went to Sol's Turf Bar and a lot of guys are talking about the Weissman ad (an anti-Kennedy ad in the Dallas News). They're screaming mad. I said, "Look what I've got. Three pictures. 'Impeach Earl Warren.'" (The day before, Ruby had taken pictures of a poster with these words on it.)

Calls Lawyer on Picture

About 2:30 p.m., I called lawyer Stanley Kauffman and told him I had this picture and thought he should do something.

"What?" he said. I didn't know what. I went back to the guys and made a speech about Dallas being a good town. I let off steam. Then I left.

After 2 p.m., I watched TV of the President's coffin being moved from the White House and drank juice—glass after glass of juice—and I was dried out from crying.

About 8 p.m., I went home and made dinner. I watched the mourners pass by the President's coffin—thousands of them—thousands of grieving Americans.

About 10 p.m., I went to the Carousel and called Ev (his sister). I heard the TV on in the background. I asked her

what was happening. She said, "Sadness is all. They're moving that creep to the jail in the morning... at 10."

Sunday, Nov. 24, about 1 a.m., I had no occasion for any gaiety. I was in mourning. I went to bed.

Took Diet Pills

About 9:30 a.m., I was up early. I was sad. I took my diet pills and a cold prescription.

The diet pills help me with my diet but they aggravate me. They make my problems worse and I had doubled my dosage four or five days before.

When I take a drink with them, I get nasty, mean and conceited. My friends don't know me. I don't care about the business. I just want to have a ball. This morning I also took CRD tablets.

I was watching TV. Rabbi Seligson in New York was eulogizing the President. I became very emotional. He really brought this thing home to me.

About 10 a.m., Linn (Karen Linn Bennett, an entertainer at Ruby's club), called, asking for \$25 to pay her rent. I told her I'd be going downtown and would send the money to her in care of Western Union in Fort Worth.

About 10:15 a.m., I put my money in one pocket and my pistol in my right trouser pocket. I got in my car and pulled out.

About 11 a.m., I went down Main Street and I saw TV and all kinds of people in front of the County Jail. I knew that Oswald was going to be moved at 10. I glanced at a clock. It was a couple of minutes past 11. I assumed that he had already been moved to the County Building from the City Jail. I continued on up to the Western Union office and as I passed the City Jail I saw people there, too.

I could see people down the ramp in the basement. I got out of the car, left Sheba (his dachshund) and went into the Western Union office. I waited my turn and sent Linn \$25. The clerk stamped the message while I was still in the

telegraph office. The time stamp says 11:17 a.m.

Then I walked out of the telegraph office and started back toward my car. I passed the ramp to the basement of the City Hall. An officer was directing cars out of the basement and I walked down the ramp just as a car driven by Sam Pearce—an officer I've known for years—came up the ramp at full speed. I just took my normal stride and walked down the ramp.

Sought Closer View

At 11:19 a.m. I reached the bottom of the ramp. I didn't see anyone I knew. I put my hands into my pocket to be comfortable and walked to get a closer view of whatever was going to happen. Suddenly there was a great commotion.

Out of there walked Oswald. He was about 10 feet from me. He came out all of a sudden with a smirky, defiant, cursing, vicious Communist expression on his face.

I can't convey what impressions he gave me. I lost my senses. There was no one standing by me. Suddenly this person pops out.

I must have pulled my gun and took a couple of steps. They (the police) could have blown my head off. I must have been crazy. I only shot him once.

I had no thought of doing any violence to anyone when I went down there. I didn't even think about it. This man had wiped out everything I loved and lived for.

I remember being down on the floor and I said, "You don't have to beat my brains out. I'm Jack Ruby. What am I doing here? What are you guys all jumping on me for? Why am I here? I'm Jack Ruby. I'm not somebody that's wanted."

11:21 a.m., they dragged me into the elevator. They brought me upstairs. They told me I had shot Oswald. That was the first time I realized what I had done. I said, "My God. My God!"

SATURDAY: Questions and Answers.

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New York Mirror _____
New York Daily News _____
New York Post _____
The New York Times _____
The Worker _____
The New Leader _____
The Wall Street Journal _____
The National Observer _____
People's World _____
Date _____

NOT RECORDED

128 FEB 7 1964

44-34016

Beer Permit Applications Do Not Carry Ruby's Name

Jack Ruby, killer of accused presidential assassin Lee Harvey Oswald, apparently has severed all connections with the Vegas Club and the Carousel Club, now known as the Big D. Copa.

Ruby formerly was listed as the sole owner of the Vegas Club, 3508 Oak Lawn, and was manager and a vice-president of the Carousel Club, 1312½ Commerce.

But applications for new beer and wine license permits filed in County Judge Lew Sterrett's office Thursday do not list Ruby as an owner of either establishment.

The present license for the Carousel Club expires March 8. An application for a renewal of this license was refused by Judge Sterrett last Tuesday.

Three Mesquite residents, listing themselves as officers of the Nolley Corp., made application for a new license for the Vegas Club, although its permit does not expire until May 3.

Mrs. Dolores Nolley, president of the corporation, said in the appli-

cation that the company is "buying furniture, fixtures and name" of the club from Jack Ruby.

The club, which has been closed since the City of Dallas cancelled its dancing permit shortly after Jan. 1, listed Bob Young as vice-president and J. A. Knox as secretary of the corporation.

Officers of the S&R Corp., owners of the Carousel, or Big D Copa Club, were listed as Ralph Paul of Arlington, president; S. D. Ruby, brother of Jack Ruby, vice-president, and Leo Torti, secretary-treasurer.

Paul also owns and operates a drive-in restaurant in Arlington known as The Bull Pen, and listed its location as his permanent address on the application.

Judge Sterrett will hold hearings on the applications later, but no dates have been set.

Dallas police and State Liquor Control Board officials are expected to appear at the hearings to protest the issuance of new beer licenses for both establishments.

TOP CLIPPING

DATED 1-31-64

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79 FEB 10 1964

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NOT RECORDED
128 FEB 7 1964

'Frivolous Conduct' Charged by Wade

Dist. Atty. Henry Wade accused defense lawyers of "frivolous conduct" in the Jack Ruby murder case Thursday.

Wade referred to the manner in which Ruby's lawyers subpoenaed witnesses in wholesale fashion for a Feb. 10 hearing in Criminal District Court No. 3. The hearing will determine where Ruby stands trial on a murder charge filed after he shot Lee

Harvey Oswald, who had been accused of assassinating President Kennedy here.

Ruby's lawyers subpoenaed 89 witnesses Tuesday. They included Mayor Earle Cabell, Atty. Gen. Waggoner Carr, City Council members, doctors, lawyers, business leaders, educators and newspapermen.

The lawyers said they plan to subpoena another 100 witnesses before the hearing.

Wade commented:

"This is frivolous conduct on their part. It appears they want to harass Dallas people. Maybe they figure that, if they harass enough and inconvenience Dallas people enough, they'll want the trial moved to another county."

Wade said he thought Ruby's lawyers were also guilty of "frivolous conduct" during a bond hearing for the 52-year-old slayer.

"They tie up the court for two days asking bond for Ruby and then, when they see the judge intends to rule against them because they hadn't made out a case, they withdrew their request," Wade said.

(Ruby's lawyers said they withdrew the request because they were assured the striptease club

manager would undergo laboratory tests.)

When Ruby's lawyers filed their subpoena list Tuesday, they said it contained more than a hundred names. But there were several duplications and a check showed 89 witnesses were called.

They said they needed the witnesses to show Ruby could not receive a fair trial here because of newspaper stories and the feeling here that "Dallas itself is on trial."

The strategy posed a new problem for Judge Joe B. Brown.

Judge Brown said defense lawyers are entitled to have all their witnesses in court Feb. 10, but it has only 62 seats.

After witnesses answer a roll call, Judge Brown said, lawyers may agree to excuse them if they agree to report when phoned.

"I'm sure we can work out some plan so they won't have to sit up here awaiting their turn to testify," the judge said.

Wade says he intends to rely on affidavits and the cross-examination of defense witnesses to show Ruby could get a fair trial

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79 FEB 10 1964

44-7441-15
NOT RECORDED
128 FEB 7 1964

89 Get Subpoenas For Ruby Hearing

Sheriff Bill Decker's deputies, John McKee, Crime Commission president; Allen Maley, Dallas AFL-CIO secretary - treasurer; Dr. Willis Tate, Southern Methodist University president; Councilwoman Elizabeth Blessing; Councilman Joe Moody; Everett L. DeGolyer Jr., foundation executor; attorney C. A. Droby; Mrs. C. A. Droby; Dr. Hillel Silverman, Temple Shearith Israel; Dr. Levi Olan, Temple Emanu-El; Msgr. Thomas Tschoepe, Dallas-Fort Worth Catholic Diocese; Methodist Bishop William C. Martin.

(When they filed their list, Ruby's lawyers said they were subpoenaing more than 100 witnesses. But the roster contained some duplications.)

Witnesses summoned by Ruby's lawyers include:

Ed Maher, Dallas auto dealer who heads the county hospital board; Sam Bloom, a public relations executive who helped Judge Joe B. Brown with press arrangements; Charles Maxwell, county grand jury bailiff; the Rev. Frederick Carney, Perkins School of Theology at SMU; Mrs. Marvin Rubenstein, 5915 Meadowcrest; Sidney Rubenstein, 11430 Crest Brook; attorney Stanley Kaufman; attorney Harold B. Beriman; Dist. Atty. Henry Wade; Police Chief Jesse Curry; Sheriff Bill Decker; Assistant Dist. Atty. William F. Alexander; Atty. Gen. Waggoner Carr.

Mayor Earle Cabell, Stanley Marcus of Neiman-Marcus; attorney Samuel Donosky; Erik Johnson, Texas Instruments board chairman; Robert Stewart, First National Bank president; Dr. Walter Bennett, Westminster Presbyterian Church; the Rev. Marshall S. Pinkerton, St. Andrews Presbyterian Church; the Rev. Russell Muller, St. Paul's United Church of Christ; Dr. J. W. Martin, First Community Church.

John McKee, Crime Commission president; Allen Maley, Dallas AFL-CIO secretary - treasurer; Dr. Willis Tate, Southern Methodist University president; Councilwoman Elizabeth Blessing; Councilman Joe Moody; Everett L. DeGolyer Jr., foundation executor; attorney C. A. Droby; Mrs. C. A. Droby; Dr. Hillel Silverman, Temple Shearith Israel; Dr. Levi Olan, Temple Emanu-El; Msgr. Thomas Tschoepe, Dallas-Fort Worth Catholic Diocese; Methodist Bishop William C. Martin.

Episcopal Bishop Avery Masch; the Rev. W. A. Welsh, East Grand Christian Church; Dr. E. S. James, Baptist Standard; Dr. Thomas Fry, First Presbyterian Church; Dr. William Dickinson, Highland Park Methodist Church; Dr. William M. Elliott, Highland Park Presbyterian Church; the Rev. Luther Holcomb, Greater Dallas Council of Churches.

Dr. Kemp Clark, Dr. Malcolm Perry, Dr. Tom Shires, Dr. Ronald Jones, Dr. M. T. Jenkins, C. J. Price, Steve Landregan and Mrs. Nora Smith of Parkland Hos-

First Assistant Dist. Atty. A. D. Jim Bowie; Eric Severeid, radio commentator and Dallas News columnist; Detective Capt. Pat Gannaway; Homicide Capt. Will Fritz; Detective Capt. O. A. Jones; Detective H. B. Combest; Police Capt. Glen King; Detective J. R. Leavell; Dr. Donald Cowan, University of Dallas president; Councilman W. H. Roberts; Durwood A. Sutton, former grand jury foreman; the Rev. William Holmes, Northhaven Methodist Church; Joanna Morgan, Lake Highlands Junior High School teacher.

John Newnam, Donald Campbell and Jerry Coley of The Dallas News advertising department.

Dick Hitt, Irene Bradley, John Weeks and A. C. Greene of the Dallas Times Herald staff.

Dick West, Allen Duckworth, James Ewell, Carl Freund, Lewis Harris, Roy Edwards, Harry McCormick, John Geddie, Jack Beers, Hugh Aynesworth, Larry Grove, Kent Biffle, Carlos Conde, Tony Zoppi, Carl Harris, Francis Raffetto, Mike Quinn, Larry Dum and Joe Thornton of The Dallas News staff.

Ruby's lawyers also asked Bloom to bring records or memos dealing with agreement to help Judge Brown handle press arrangements.

In addition, they requested the pistol and money taken from Ruby and Parkland Hospital records which pertain to treatment given Lee Harvey Oswald after Ruby shot him.

TOP CLIPPING

DATED

FROM

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128 FEB 7 1964

JACK RUBY,
LEE HARVEY OSWALD; - VICTIM
CR

Tolson _____
Belmont _____
Mohr _____
Casper _____
Callahan _____
Conrad _____
DeLoach _____
Evans _____
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Trotter _____
Tele Room _____
Holmes _____
Gandy _____

C18 Thursday, Jan. 30, 1964 THE WASHINGTON POST

Denies Any Thought of Retaliation

Ruby Deeply Moved by Assassination

By Jack Ruby

With William Read Woodfield

DALLAS—The early morning hours of Friday, Nov. 22, 1963: It was quiet in The Carousel (the night club Ruby operated) and someone mentioned that President Kennedy would be in Dallas.

I recall hoping that he would like our city and that nothing like what happened to Adlai Stevenson would happen to President Kennedy.

Approximately 5 a.m. I closed up, counted the cash, put the receipts in my bank bag. I put my .38 caliber revolver in my right trouser pocket, as usual. I always carry my gun when I carry money.

I went to bed. My last thoughts were, "How wonderful it is for Dallas that our President was going to visit us."

I felt, "He my President. I love him" and I fell asleep.

Visits Newspaper

Approximately 9:30 a.m., I arrived at the Dallas Morning News building. A few minutes later I went up to the second floor to see John Noonan and work out my ad before the noon deadline.

Approximately 12:30 p.m., someone ran into the room and said, "Somebody's been shot!" Then someone else said "Connally's been shot." Some one else said, "The President's been shot!" Everybody went wild.

I said a prayer and waited and heard as the doctors tried to save his life, as the two priests gave him the last rites and one of them said he was still alive. My heart pounded as I waited. I wept and my mouth was dry.

About 2:15 p.m. I went to the club and told Andy to call everybody and tell them we wouldn't be open tonight.

Approximately 4 p.m., the television was on at Ev's (Ruby's sister). We cried and cried. "Why did they do it? Why did they do it?" I asked.

"He was such a beautiful man. Why did they do it?"

We cried and cried. We grieved and watched television.

The Washington Post and Times Herald C18
The Washington Daily News _____
The Evening Star _____
New York Herald Tribune _____
New York Journal-American _____
New York Mirror _____
New York Daily News _____
New York Post _____
The New York Times _____
The Worker _____
The New Leader _____
The Wall Street Journal _____
The National Observer _____
People's World _____
Date Feb 7 1964

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They showed Oswald on television. I thought to myself, "If he's the right man, he's got to be either a John Bircher or a Communist."

About 10:30 p.m., I drove around downtown Dallas. I saw clubs open, people having fun. I was shocked that there was not more sadness.

Greeted by Policemen

I went to the police station and parked in the lot. A police officer asked me where I was going and I told him.

As I walked through the halls, fellows kept saying, "Hello Jack," "Hi, Jack." I didn't feel so lost. I took the elevator upstairs. There were a lot of officers who knew me and who said hello to me.

Saturday, Nov. 23, 1963—Midnight: Suddenly Chief Curry (Dallas Police Chief Jesse Curry) and Homicide Captain Will Fritz appeared with Oswald.

I was suddenly in a swarm of people. I lost my purpose in going there. I'm in a world of history.

He was mumbling. I didn't think much of him. He looked like a creep. But he didn't look like he would have killed our President all alone.

Chief Curry took us to the basement to the assembly room—a large room. Capt. Fritz and Henry Wade, the Dallas County District Attorney (a friend of Jack Ruby's who, ironically is now in charge of prosecuting Ruby) brought Oswald out into view of the TV cameras and the photographers. They took their pictures and the reporters asked Oswald questions. He was mumbling answers. I had my gun in my pocket this night.

I had no thought of killing him. It never entered my head. Besides, he was still only a suspect—innocent until proven guilty.

"Evidence to Convict"

"We have enough evidence to convict," I heard my friend, Henry Wade, announce to the hundreds of reporters and TV men. Henry also announced that Oswald had refused to take a lie detector test.

Wade also told us that Oswald had denied being a Communist but admitted being a Marxist and having defected to Russia.

Chief Curry confirmed that

the evidence was "conclusive" and someone said that fingerprints had been found. Henry Wade told us that he would "ask for and get the death penalty." I felt proud that Henry Wade was my friend

and I slipped a Carousel guest card into Henry's pocket and patted him on the back.

I never at any time thought of shooting Oswald. I thought he would get to trial. I did not think he would get shot.

About 5:30 a.m. I went home and fell asleep immediately.

FRIDAY: The last 24 hours before I shot Lee Oswald.

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(Mount Clipping in Space Below)

10th Juror Chosen In Jack Ruby Trial

By CARL FREUND

Attorneys chose the 10th juror for the Jack Ruby murder trial Friday shortly before the defense used the last of its 15 peremptory challenges.

Dist. Judge Joe B. Brown agreed, however, to give Ruby's lawyers three additional challenges. They allow lawyers to reject a prospective juror without stating a reason.

Judge Brown also scheduled a Saturday morning session in an attempt to complete the 12-member jury, which must decide whether Ruby committed murder when he shot Lee Harvey Oswald.

Testimony will start Monday if the jury is completed Saturday.

The 10th juror is J. Waymon Rose of 7132 Meadowcreek, a 41-year-old former Navy pilot who sells furniture over a 4-state area.

The tall, dark-haired juror is a Presbyterian.

Rose said he saw television pictures of Oswald falling, mortally wounded, only two days after his arrest as the top suspect in the assassination of President Kennedy.

"I have a clear picture of how it happened . . . a reasonably good memory . . . but I couldn't recognize the face (of the slayer)," Rose said.

Defense lawyers appeared impressed by the salesman's statement that he knew of cases where people had lost control of their emotions "while under stress." The defense claims Ruby blacked out in a state of temporary insanity as a result of emotional stress which stemmed from the assassination.

Observers speculated Judge Brown gave the defense the additional challenges as "insurance."

If Ruby is convicted and defense lawyers appeal, they will claim Judge Brown made erroneous rulings in holding that prospective jurors were qualified.

The Court of Criminal Appeals could agree, but hold that Ruby's rights were not violated since his lawyers got the additional challenges.

Defense lawyers used one of the three. After they use the other two, they must accept every prospective juror who is not disqualified because of fixed opinions or opposition to the death penalty.

"We'll get the jury Saturday," Dist. Atty. Henry Wade said.

Wade, who has nine challenges remaining, rejected Mrs. Dixie Valetto, an attractive blond housewife, during the day. As she left the courtroom, she paused and shook hands with Ruby while defense attorney Melvin Belli called out, "Judge, can we get any more like her?"

(Indicate page, name of newspaper, city and state.)

12

"The Dallas
Morning News
Dallas, Texas

Date: 2-29-64

Edition:

Author:

Editor:

Title: Jack B. Krue

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License Ordered for Vegas Club

Dist. Judge Dee Brown Walker Friday ordered that a beer and wine permit be issued for a Dallas nightclub formerly owned by Jack Ruby, on trial for murdering Lee Harvey Oswald.

The license for the Vegas Club, 3805 Oak Lawn, was denied Feb. 11 following a hearing before County Judge Lew Sterrett. At that time the Texas Liquor Control Board protested issuance of

the permit.

The Nolley Corp. of Mesquite, headed by Mrs. Dolores Nolley, then appealed Judge Sterrett's decision to the district court. The club's present permit—issued to Ruby — does not expire until May 3.

The TLCB objected to issuance of the license, even though Mrs. Nolley said she had purchased all interest in the club from Ruby, because cases are pending before the TLCB in Austin which charge Ruby with "not being a peaceful and law-abiding citizen."

Judge Walker, of the 162d Dis-

trict Court, ordered the license issued when the board did not contest the appeal. The action followed an agreement between Assistant Atty. Gen. Brady Coleman, attorney for the TLCB, and Kaufman attorney Jack C. Morgan, representing the Nolley Corp.

Under the law, however, TLCB could hold up the license for six months.

The applicant could appeal such a decision to a Civil Appeals Court, which has the power to immediate issuance of the permit.

The Vegas Club has been closed since January, when the City of Dallas canceled its dance permit. No action has been taken to have the license reinstated, although Mrs. Nolley expressed hopes that such action would follow issuance of the beer permit.

Judge Sterrett also had denied issuance of a new beer license for another club which Ruby had managed and served as vice-president. The club, at 1312½ Commerce, was known as the Carousel Club under Ruby's management. The name has since been changed to the Big D Copa.

The license for Big D Copa expires March 8. The club is owned by the S&R Corp., headed by Ralph Paul of Arlington. Its application for a new license, which was denied, had dropped Ruby as an officer of the corporation.



—Dallas News Staff Photo.

Jurors in the Jack Ruby murder trial took a noon stroll Friday. The tall juror in the center is J. Waymon Rose,

accepted during the morning. Judge Joe B. Brown ordered a Saturday session with two jurors needed.

COURTROOM JOTTINGS

4 Prospective Jurors Excused; Got Preview

Courtroom jottings from the Jack Ruby murder trial:

Joe Tonahill, the 240-pound defense lawyer from Southeast Texas, says a new pun is making the rounds in his home town of Jasper.

"I gave my daughters diamond rings for Christmas," Tonahill told reporters. "Now they're saying that my daughters got diamonds and I only got a Ruby."

JUDGE JOE B. BROWN called another 50 prospective jurors into court Friday as attorneys neared the end of the original list of 151.

Then the judge had to excuse four members of the new group.

They had obtained a "preview"

High Court Gets 2d. Ruby Request

AUSTIN, Texas (AP) — A representative of Jack Ruby's attorneys asked the Texas Supreme Court again Friday to hear arguments on whether prospective jurors who saw Ruby shoot Lee Harvey Oswald on television should be disqualified.

William VanDercreek, a Dallas attorney and professor at the Southern Methodist University Law School, presented the court clerk a request for a rehearing on the matter.

The petition seeks a rehearing on a request for permission to file with the court an application for a court order requiring the judge hearing the Ruby trial to disqualify as jurors persons who witnessed the Nov. 24 shooting on television.

The Supreme Court refused Monday to hear arguments on the point.

There were not enough of the nine justices present Friday to consider the request for a rehearing. It can be considered Monday at the earliest.

—by sitting in the spectator section of the courtroom during questioning of other prospective jurors.

DEFENSE LAWYERS have piled law books atop their table in the courtroom. But one book there has nothing to do with the penal code or court decisions.

Authored by Carol Estes Thometz, it is entitled "The Decision-Makers—The Power Structure of Dallas."

Ruby's lawyers, who contend "an oligarchy" rules Dallas, keep the book prominently displayed.

THE DEFENSE accepted Waymon Rose as the 10th juror despite his statement that his wife and the wife of Detective Capt. Walter Fannin of the Dallas police burglary and theft bureau, "are close friends."

Rose said the friendship would not affect his verdict.

ALTHOUGH THEY didn't hear it, the jurors got a compliment Friday.

It came from Melvin Belli, the chief defense lawyer, who praised their intelligence.

"I think the intelligence level of our jury is well above what you would expect from a cross-section of Dallas residents," Belli said.

4

Ruby Jury: Only Two More to Go

By BOB CONSIDINE

Heard Headline Service Special
to N. Y. Journal-American

DALLAS, Feb. 29.—It's Leap Day and prospects are good that the last two jurors in the Jack Ruby murder case will vault into—and complete—the jury to decide what price he must pay for killing accused assassin Lee Oswald.

The second Saturday session of what promises to be a lengthy trial begins at 10:30 a.m. (N.Y. time.)

Yesterday's exhausting session produced one juror out of 15 panelmen grilled. There are only nine veniremen left from the original cast of 150 assembled nearly two weeks ago. But Judge Joe B. Brown stocked the stream yesterday by swearing in 44 new veniremen.

6 DISMISSED

He called 50, as a matter of fact, but dismissed six of them when they said they had attended earlier court sessions as spectators.

Chief defense attorney Melvin Belli faces the fifth court

day with only two peremptory challenges left to deal with possibly hostile would-be jurors. The San Franciscan has repeatedly suggested that Dallas is out to send Ruby to the chair to restore its image as a place of law and order.

He has the two challenges by the grace of Judge Brown. Mr. Belli used his 15th and last regular peremptory yesterday in shooting down Raymond Thiel, a 39-year-old electronics engineer who is a graduate of the University of Houston and father of three.

TOO MANY ENGINEERS

The Judge promptly announced that he was granting Mr. Belli three additional challenges.

Asked why he did not want Mr. Thiel, a manly looking fellow who said he'd find Ruby innocent if the state does not prove its case conclusively, Mr. Belli said lightly:

"We've already got three engineers in the jury box. This is a case of law. We'd not building a missile."

Mr. Belli spent the first of his bonus challenges on Korea War veteran Emmett Lindsay, a gas station manager who at one point said, "If I couldn't come to some conclusion after hearing all the testimony I don't think I'd vote."

LAWYER AILING

Ruby looked at least as good if not better than his chief defense lawyer yesterday. Mr. Belli has been suffering from chest pains the past few years. He had an electrocardiograph Thursday and is due for another one today.

"I'm 30 pounds overweight," he told reporters last night, "and damned tired."

Mr. Belli will spend part of tomorrow moving his huge volume of law books and case records from his chaotic suite in the Statler Hilton to a house he has rented for the duration.

EXPERTS AWAITED

Dr. Roy Schafer, Yale University psychologist, and Dr. Manfred Guttmacher, Baltimore psychiatrist, arrive in Dallas today and will see Ruby when he is available. They will remain here and testify for the defense.

Yesterday's juror, winnowed out from among 15 questioned, was J. Waymon Rose, 42, a fit-looking, black haired, sun-tanned former Navy pilot. He is in the furniture business, has three children and is a Presbyterian, first member of that church to make the all-white, all-Protestant jury.

He challenged defense attorney Melvin Belli's question concerning the desire of the people of Dallas to send Ruby to the electric chair to restore the city's damaged "image" in the wake of JFK's assassination and Ruby's killing of the accused assassin, Lee Oswald.

"I think you're wrong," he told Mr. Belli, with one of those Texas strongman stares. "Dallas can give any man a fair trial."

As of now the jury has eight married men and two married women. Five are baptists.

One of the women, Mrs. Mildred McCollum, an attractive young mother of six, is a member of a strict sect that does not permit its communicants to wear cosmetics, the Church of the Assembly of God.

The average age of the jury is 36. Ruby, a member of a local reformed synagogue, is 52.

Belmont ☒
Mohr ☒
Casper ☒
Callahan ☒
Conrad ☒
DeLoach ☒
Evans ☒
Gale ☒
Rosen ☒
Sullivan ☒
Tavel ☒
Trotter ☒
Tele Room ☒
Holmes ☒
Gandy ☒

The Washington Post and Times Herald _____
The Washington Daily News _____
The Evening Star _____
New York Herald Tribune _____
New York Journal-American ☒
New York Mirror _____
New York Daily News _____
New York Post _____
The New York Times _____
The Worker _____
The New Leader _____
The Wall Street Journal _____
The National Observer _____
People's World _____
Date _____

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Engineer Accepted As 9th Ruby Juror

By CARL FREUND

A 34-year-old Richardson electronics engineer became the ninth juror for the Jack Ruby murder trial Thursday.

Attorneys accepted James E. Cunningham of 1314 Belaire Drive minutes before Judge Joe B. Brown recessed the trial until 9 a.m. Friday. An Episcopalian, Cunningham works for Texas Instruments.

Cunningham was the 13th prospective juror questioned during the day — the 111th since Ruby's trial started Feb. 17.

Lawyers chose three jurors Wednesday and Judge Brown expressed hope that testimony would begin Friday. But selection of the jury moved at a slow pace Thursday and there appeared little chance that Dist. Atty. Henry Wade would start calling witnesses to the stand before Saturday at the earliest.

In other developments Friday: —Defense lawyers used their 12th and 13th peremptory challenges, leaving them only two of the 15 normally granted each side in a murder case.

—The lawyers said they would renew their request that the Texas Supreme Court let them disqualify jurors who saw television pictures of Ruby shooting Lee Harvey Oswald. (The Supreme Court already has rejected one defense plea and prosecutors say they are confident it will turn down others.)

—Showing the strain of the trial, Ruby appeared tired and more nervous than at any time since his trial started. He spent much of the day staring at prospective jurors with his mouth half open.

—Judge Brown ordered another 150 prospective jurors to report to his court Friday morning as lawyers neared the end of the original list of 151.

—Defense attorneys put renewed stress on Oswald's Marxist beliefs and, over prosecutor protests, asked one prospective juror, "Would you feel un-Texas if you were on the first jury to send a

man to the electric chair for killing a Communist?"

(Judge Brown told the venireman, B. Perkins, that the question was improper and he should not answer it.)

Prosecutors used their fifth peremptory challenge to reject Lawrence O. Greer, a 25-year-old former college student who said he was familiar with theories of psychiatry and abnormal psychology.

Defense lawyers claim Ruby was temporarily insane when he shot Oswald two days after Oswald's arrest as the prime suspect

in the assassination of President Kennedy. Prosecutors say Ruby pulled the trigger in the mistaken belief it would "bring him fame and fortune."

Cunningham said he took one psychology course while studying engineering at the University of Texas.

"I understood it was an easy course," he explained.

Defense attorneys used two of their rapidly dwindling peremptory challenges to reject Mrs. Elizabeth James, a brunette housewife who indicated skepticism of insanity as a defense, and Henry Gravley, a Carrollton engineering technician whose father works as a county jail guard.

(Indicate page, name of newspaper, city and state.)

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BUT NOT REQUIRED

Ruby May Take Witness Stand

Defense tactics during selection of the Jack Ruby murder trial jury increased speculation Thursday that Ruby will take the witness stand.

Observers noted the failure of defense lawyers to emphasize to prospective jurors that Ruby is not legally required to testify in his own behalf.

Generally, if defense lawyers do not intend to put their client on the stand, they repeatedly tell prospective jurors:

- A defendant has a constitutional right to remain mute.
- It is improper for jurors to hold this against him.

When asked if Ruby will testify in his legal battle to escape the electric chair or a long prison term, his lawyers give a stock reply: "We haven't decided yet."

Dist. Atty. Henry Wade cannot put Ruby on the stand.

But, if defense lawyers call Ruby as a witness, Wade could fire questions at the 52-year-old nightclub manager on cross-examination.

Wade told reporters, "I think it would make our task easier."

Testimony by Ruby would provide a spectacular climax to his trial.

These arguments are cited by those who believe Ruby will testify:

—Melvin Belli, the chief defense attorney, likes the spectacular, the grandstand play.

—Ruby sobbed in court when reporters questioned him during a hearing on a defense request that Judge Joe B. Brown move his trial to another county. Ruby possibly would lose his composure again if called as a witness and this could create an impression on jurors favorable to the defendant.

—Defense lawyers know that, even though jurors are not allowed to discuss the failure of a defendant to testify, they wonder in their minds if he was "afraid to take the stand."

Others believe defense attorneys will keep Ruby off the stand because:

—They would run the risk that Ruby would break down and make damaging statements while prosecutors cross-examine him.

—Testimony by Ruby could open the door for prosecutors to introduce testimony which otherwise would be inadmissible.

—The defense could get most of Ruby's "testimony" before the jury without placing him on the stand. Defense lawyers could do so by letting psychiatrists repeat statements which Ruby made

while they studied his mental condition.

When testimony starts, Wade will call the first witnesses to the stand.

They will testify that Ruby shot Lee Harvey Oswald to death in the City Hall basement Nov. 24, two days after Oswald's arrest as a suspect in the assassination of President Kennedy.

Then defense lawyers will call witnesses in an attempt to show Ruby was temporarily insane when he pulled the trigger. They will present testimony that Ruby blacked out and "acted like a robot" without knowing what he was doing.

Then Wade will call psychiatrists and other witnesses to reply to the defense contention.

When the jury deliberates behind closed doors, the case of The State of Texas vs. Jack Ruby will boil down to one basic question: Did Ruby know right from wrong when he shot Lee Harvey Oswald?

★ JURY PICTURE AS OF NOW

The picture when Judge Joe B. Brown recessed the Jack Ruby murder trial Thursday:

Jurors chosen.....	9
Jurors needed.....	3
Rejected by state.....	5
Rejected by defense.....	3
Disqualified for cause...	2
Excused for illness.....	1

PROSECUTION PLAN

Psychiatrist To Be Called

Prosecutors said Thursday they plan to call Dr. John Holbrook, a Dallas psychiatrist, as a major witness in their attempt to convince a jury that Jack Ruby was sane when he shot Lee Harvey Oswald.

Dist. Atty. Henry Wade's assistants said they may also place Dr. Robert Stubblefield of the University of Texas Southwestern Medical School on the stand.

Their statement was considered significant by court observers since Dr. Holbrook and Dr. Stubblefield were members of a team of three psychiatrists who analyzed laboratory tests given Ruby Jan. 28-29.

The tests included two electroencephalograms (EEG), commonly called "brain wave" tests since they record electrical impulses of the brain.

Lawyers vouch for the credibility of witnesses they summon to the stand.

As a result, it was considered unlikely prosecutors would call Dr. Holbrook or Dr. Stubblefield if they believe the tests supported defense contentions.

Defense lawyers claim that Ruby suffers from "psychomotor epilepsy" and that its seizures can produce violent conduct. They contend Ruby blacked out and "acted like a robot" while shooting Oswald during a seizure.

Oswald, who was shot Nov. 24 while network television cameras were trained on him, was the prime suspect in the Nov. 22 assassination of President Kennedy.

The third psychiatrist on the court-approved team, Dr. Martin Towler of the University of Texas Medical School at Galveston, is expected to testify for the defense.

The Dallas News quoted an informed source Jan. 31 as saying:

—Dr. Holbrook and Dr. Stubblefield concluded the tests did not show Ruby was a victim of organic brain damage or any form of epilepsy which could have led him to shoot Oswald while in a blackout.

—The psychiatrists noted

thought patterns unlike those found in most patients, but were convinced they did not indicate any brain disease or insanity which would have left Ruby unable to distinguish between right and wrong.

—Dr. Towler wanted to confer with another psychiatrist before announcing his diagnosis of Ruby's mental condition.

Defense lawyers attacked the story.

Melvin Belli, the chief defense lawyer, announced Thursday that Dr. Roy Schafer, a Yale University psychologist, and Dr. Manfred Guttmacher, a Baltimore psychiatrist, would arrive here Saturday and would observe Ruby daily while waiting to testify as defense witnesses.

Dr. Schafer testified at an earlier hearing that he believed Ruby is a victim of "psychomotor epilepsy."

Defense lawyers asked Judge Joe B. Brown this week to appoint Dr. Karl Menninger of the famed Menninger Clinic to examine Ruby, but Judge Brown indicated he would reject the request.

RUBY TRIAL

Wade Lets Defense In On Secret

Jack Ruby's lawyers got the word Thursday—from Dist. Atty. Henry Wade.

The defense lawyers had questioned Henry Gravley of Carrollton, a 25-year-old engineering technician, for more than 30 minutes and spectators were speculating they would accept him as the ninth juror.

Then, as defense attorneys went into a huddle, Wade sauntered over to their table.

"You didn't ask him, but there's something you should know," Wade told them. "His father is a deputy sheriff."

★ CHEST PAINS SLOW BELLI

Melvin Belli, the chief defense lawyer, missed part of the Jack Ruby murder trial Thursday after complaining of chest pains.

When Belli returned to the courtroom, he said a doctor had given him an electrocardiographic test to determine whether he had a heart ailment. He said a doctor told him the test indicated he had not suffered a heart attack but suggested he return for a checkup Saturday.

"I've been having chest pains for several days, but they've gone away now," the San Francisco lawyer added.

Should Belli decide later that he was too ill to stay in court, Judge Joe B. Brown would decide whether to call off the trial or let it continue with other defense lawyers questioning witnesses.

Howard Puts Ruby Case Into a Book

Tom Howard, a Dallas lawyer who withdrew from the defense staff, is writing a book about the Jack Ruby case.

That's what Mrs. Jeane Lauve, a Dallas writer, said Thursday.

Mrs. Lauve has been in the courtroom daily since Ruby's trial started Feb. 17.

"I'm taking notes for Mr. Howard," she said. "He's doing a book about the case. He's already written two chapters."

Howard was the first lawyer hired by Ruby after the 52-year-old nightclub manager shot Lee Harvey Oswald, charged with assassinating President Kennedy.

Howard withdrew as a defense lawyer when the trial began. Another defense lawyer said Howard quit because of illness in his family. Howard said that wasn't true, but declined to state a reason.

"He quit because he was disgusted," Mrs. Lauve said. "The other lawyers did things without consulting him. He didn't like the way they were handling the case."

Howard was out of the city Thursday.

The father, Lee Gravley, guards county jail prisoners. Sheriff Bill Decker said Gravley is not assigned to Ruby's cell-block area, but "may spend some time" on his floor.

Why did Wade tell the defense? "We weren't required to do so, but we wanted to be fair," his chief assistant, A. D. Jim Bowie, told reporters.

After the prospective juror said he was certain his father's work would not influence his verdict, defense lawyers used a peremptory challenge to reject him.

It was their 13th.

ON THE LINE:

Can't Pin a Thing on Him

By BOB CONSIDINE

DALLAS: Ralph Shelton, local trouble-maker, was evicted from Judge Joe Brown's court the other day. Sharp-eyed, well-armed courtroom guards caught him fidgeting and fussing in a backrow bench and told the woman who brought him in to get him out of there before he raised his voice.

Ralph is four months old.

He and his child-mother had waited for hours in the hope of being admitted in the spectator's section of the courtroom. They finally were passed, but Ralph got huffy within minutes after being lugged in.

He was probably still sore about being frisked. Ralph is surely the youngest person searched for lethal weapons in the entire annals of crime. The frisking was done, somewhat gingerly, by one of the lady deputy sheriffs whose regular task during the Ruby trial is the repetitious pawing of news hens covering the case.

Ralph was packing a .38 calibre safety pin.

JUDGE BROWN runs a friendly court. Among the young fry he has admitted, in addition to trouble-making Ralph Shelton, is Danny Irrowood, age 6, who was in from nearby Garland, Texas, with his mother.

Danny looked up wonderingly as the tall man with the revolver in place bent over him and went through his blue jeans and searched the pockets of his jacket.

Danny was "clean," but the guard noticed that the child had something in his knotted fist. He asked to see it. Danny slowly opened the fist and showed him a little wad of moulding clay. They let him enter with it.

An old pappy type, a spittin' image



CONSIDINE

of the collarless farmer in Grant Wood's "American Gothic," was stopped at the door Wednesday. He carried a brown paper bag under his arm. In it was half a dozen apples and a track meet starter's pistol.

"We didn't do anything to the old fellow," Sheriff Bill Decker told us. "Just called his son up and told him to come on over and take his daddy home."

* * *

DOC QUIGG, UPI's top reporter, was caught red-handed by the deputies yesterday with a small nail-file pen-knife concealed in his pocket.

It was seized, and the case of the State of Texas against Jack Rubinstein, alias Jack Ruby, was able to continue.

The reporters covering the trial have a rule of thumb, so to speak, about when is a proper time to leave the case:

"You go home the first time you begin to enjoy the frisk," reads Sec. 1, Art. 1.

* * *

JACK RUBY'S youngest sister, Eileen, who lives in Chicago, has been attending court sessions. The attractive well-groomed woman is distressed each time she hears or reads reports that some sort of conspiracy existed between her brother and Lee Oswald, the man Ruby shot.

"We know our brother," the sister whispered to me the other day. "I swear, he never knew Oswald. Never."

* * *

POLICE TOOK an interesting "poll" recently at a downtown corner. They stopped ten men at random and gave them the same kind of frisk the reporters covering Ruby's trial get when they enter the courtroom.

The ten men yielded an ominous harvest of three guns and five knives.

No cotton-pickin' Communist is going to capture this here town, podner.

Tolson _____
Belmont _____
Mohr _____
Casper _____
Callahan _____
Conrad _____
DeLoach _____
Evans _____
Gale _____
Rosen _____
Sullivan _____
Tavel _____
Trotter _____
Tele Room _____
Holmes _____
Gandy _____

The Washington Post and Times Herald _____
The Washington Daily News _____
The Evening Star _____
New York Herald Tribune _____
New York Journal-American _____
New York Mirror _____
New York Daily News _____
New York Post _____
The New York Times _____
The Worker _____
The New Leader _____
The Wall Street Journal _____
The National Observer _____
People's World _____
Date _____

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170 MAR 5 1964

9th Juror Is Chosen —Ruby Grows Edgier

By Maurice C. Carroll
Of The Herald Tribune Staff

DALLAS, Tex.

Half an hour after he stepped to the witness stand, the 14th prospective juror to be questioned in yesterday's long, dreary court session, a 34-year-old electronics engineer named James E. Cunningham was chosen the ninth member of the panel that will try Jack Ruby for murder.

The science-minded team of defense lawyers seemed intrigued when Mr. Cunningham, a calm-mannered, deep-voiced man, said he had taken psychology courses in the University of Texas.

"I like him," chief defense lawyer Melvin Belli whispered to his associate, Joe Tonahill. Moments later, Mr. Cunningham joined the jury that will hand up the decision in this final formal act of the great national tragedy that began Nov. 22 with the assassination of President Kennedy.

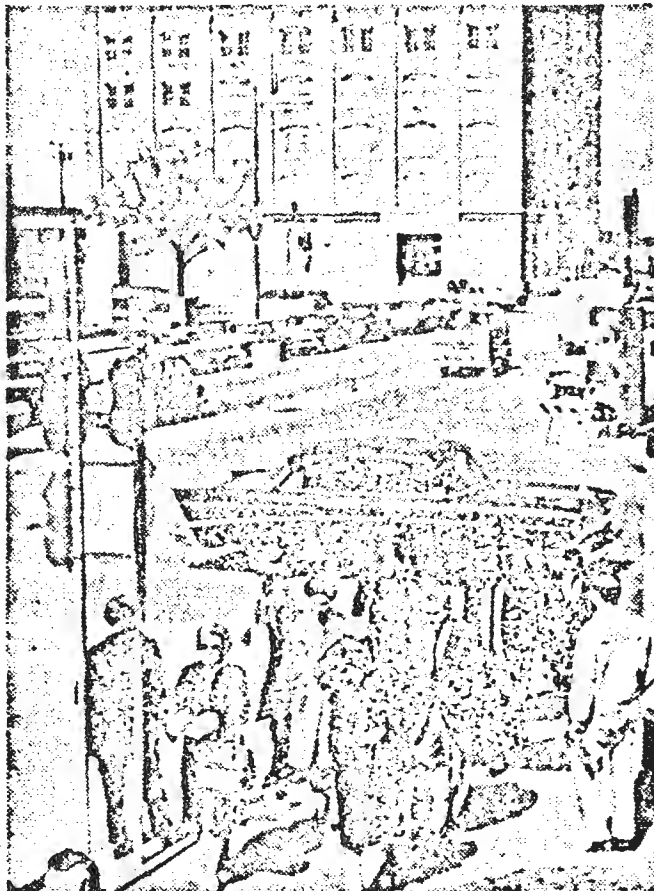
Ruby, the pale, waxy-cheeked man accused of murdering the President's alleged assassin, smiled and seemed cheered by the choice of Mr. Cunningham. Until then he had been extremely fidgety, nibbling the fingers of his right hand, chewing convulsively on gum, repeatedly leaning over to whisper to Mr. Belli.

"It's this silly talk again," said Mr. Belli. "We're going to have two doctors—Manfred Guttmacher, chief psychiatrist of Baltimore Supreme Court, and Roy Schaffer, Yale psychology professor—come down Sunday to look him over."

As five guards led Ruby from the courtroom at day's end, Mr. Belli shouted anxiously after him:

"Jack... relax!"

Mr. Belli felt the pressure himself. He visited a doctor during the noon recess, but returned, smiling, to say that his health had been pronounced generally all right.



Herald Tribune—UPI telephoto

THE GROWING RUBY JURY, eight strong, heads for lunch in Dallas. In background is the Texas School Book Depository from an upper floor of which came the shots that killed President Kennedy last November.

Sixteen panelists were questioned in yesterday's session, bringing the ten-day total to 110. A new 50-member panel was lined up in case the 26 left on the current panel are not enough.

The defense used up the 12th and 13th of its 15 rights to reject jurors without saying why, the prosecution its 5th.

Ruby's lawyers turned down a housewife who expressed doubt about insanity as a defense to murder, and a young man whose father is a deputy sheriff. The prose-

cution rejected a 25-year-old student who agreed enthusiastically with Mr. Belli on matters of psychiatric.

"You can bet we're going to use up all our peremptory challenges," Mr. Belli told reporters. This, he indicated, would provide grounds for an appeal.

Tolson _____
Belmont _____
Mohr _____
Casper _____
Callahan _____
Conrad _____
DeLoach _____
Evans _____
Gale _____
Rosen _____
Sullivan _____
Tavel _____
Trotter _____
Tele Room _____
Holmes _____
Gandy _____

Wage

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123 MAR 11 1964

The Washington Post and Times Herald _____
The Washington Daily News _____
The Evening Star _____
New York Herald Tribune _____
New York Journal-American _____
New York Mirror _____
New York Daily News _____
New York Post _____
The New York Times _____
The Worker _____
The New Leader _____
The Wall Street Journal _____
The National Observer _____
People's World _____
Date _____

FEB 28 1964

Four to Go for Ruby Jury

'Jack's Getting Worried,' Says His Attorney

By Maurice C. Carroll
Of The Herald Tribune Staff

DALLAS.

A salesman, a bookkeeper, a mailman. Three members were added to the jury in the Jack Ruby murder trial yesterday. Now only four jurors remain to be chosen before this case, the final act of the tragedy that began when President Kennedy was assassinated Nov. 22, can be brought to trial.

But the tedious process is beginning to tell on the waxy-faced, hollow-eyed defendants.

"Jack's giving me a lot of worrying talk. It's not always in context," said chief defense attorney Melvin Belli after a long whispered conversation with Ruby. "He wants to talk about problems of Mrs. Kennedy, or of his family, or something. He constantly needs reassurance."

But, Mr. Belli said, "it looks as if we might get to trial Saturday," and District Attorney Henry Wade agreed with him, as quizzing of prospective jurors moved along briskly.

Later, Judge Joe B. Brown indicated he would skip the Saturday session and begin hearing testimony Monday if the jury is chosen by Friday.

LIKE THE JUROR

The salesman chosen, R. J. Flechtner, 29, from suburban Richardson, seemed to please the defense by his wrinkle-browed pauses before answering the tough question.

Would he like to be tried by jurors in his frame of mind?, asked Mr. Belli.

Mr. Flechtner pressed his lips together. He looked up at the orange-fringed flag of Texas above the witness box. "Yes, sir," he said.

"We like this juror, your honor," said Mr. Belli and the sixth panelist was chosen.

The bookkeeper, Mrs. ~~Gran~~ L. English, 45, displayed that same matter-of-fact manner which has characterized previous jurors.

Was she offended by some of the things he had said about Dallas? asked Mr. Belli.

A good-natured chuckle. "Not at all. That's your opinion."

She answered the inevitable question: "Would she be satisfied to be tried by jurors in her own frame of mind?"

"Yes, sir, I would."

"Good enough for me," said Mr. Belli.

No. 7 was seated.

WENT FISHING

The mailman, J. G. Holton, 31, raised defense eyebrows when he said he was an auxiliary policeman in suburban Grand Prairie. But, on the tragic three November days that started with the President's death and ended with the shooting of his alleged assassin, he said, "I spent the whole weekend fishing."

Moments later he was seated as No. 8.

And so it stood after nine sessions: 94 jurors questioned, 8 seated, 11 of the 15 rights to reject jurors without saying why used up by the Defense (two yesterday), 4 by the prosecution (one yesterday).

Since the trial started the defense has insisted a fair trial is impossible in Dallas.

Yesterday, while Mr. Belli was questioning prospective juror George A. Warren, a retired Western Union employee with a long thin face and a small prim mouth, there was this exchange: Mr. Warren said he believed he could listen to all the evidence and come in with "what you would consider a fair verdict."

"You mean what Mr. Wade might consider?" challenged Mr. Belli.

The panelist pressed his lips together, then retorted sharply, "Or even you."

Mr. Belli was on his feet shouting, "That is the true unconscious feeling of Dallas," he said. "This man says 'even you, an outsider. . .'"

Mr. Belli again asked for a change in venue and again Judge Joe B. Brown overruled him.

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The Washington Post and Times Herald _____
The Washington Daily News _____
The Evening Star _____
New York Herald Tribune 4
New York Journal-American _____
New York Mirror _____
New York Daily News _____
New York Post _____
The New York Times _____
The Worker _____
The New Leader _____
The Wall Street Journal _____
The National Observer _____
People's World _____
Date _____

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JURY TOGETHERNESS—Seven of the eight members of the Ruby jury at lunch yesterday in Dallas. Left to right, Allan W. McCoy, Luther Dickerson, Douglas Sowell, Mrs. Gwen English, bailiff, Mrs. Mildred McCollum, Max Causey, R. J. Flechtner.

(Mount Clipping in Space Below)



FOOTNOTE TO HISTORY -- If you would care to gaze upon Jack Ruby's gal friend in the flesh, literally, we suggest that you reserve a seat for this Friday night's cultural symposium at the Park Theatre. This is for real, we kid you not.

Impresario James S. Maurer has achieved the artistic triumph of the decade by engaging, for one historic night only, the on-stage services of the celebrated Jada.

Who is Jada? Come now, friends, surely you jest.

Jada is an exotic -- which is high-class Show Biz talk for a strip-tease artiste. Also, by her own unabashed admission, she reigned for five months as the favorite filly in Jack Ruby's somewhat aromatic stable.

Mr. Ruby is Big Time now, with his pitcher in all the papers and everything, and the curvaceous Jada is finding the headlines negotiable. Currently clutched in our clammy paws is a four-page billet-doux, penned in well-rounded hand, which she recently forwarded to Maurer to "use as you see fit for publicity purposes."

It's a remarkable document.

Some egg-head historian of the future, pondering why Jack Ruby gunned down Lee Oswald who gunned down the President of the United States, could do worse than contemplate Jada's jottings. Here are some tender excerpts:

"I have had much publicity recently from this Jack Ruby shooting of Lee Oswald, as I was Jack's attraction at the Carousel Club in Dallas for five months and I had a lawsuit against him. I intended photographing all my news-stories, but they just got so numerous.

Regarding Jack Ruby, the following:

"I was his feature attraction for five months and, at the time of the shooting, I had just taken out a peace bond on him and was instigating a law against him for stealing some of my wardrobe. As a result, when Jack shot Oswald I received much publicity in Dallas and in New York, where I had gone to get away from all the press and F.B.I. that were bothering me in Dallas.

"I also went on TV nationwide. Life magazine shot a color story on me. I was interviewed by Robert Trout, Murphy Martin and Charles Collingswood. All nationwide. I had a quarter-page story, Page 5, in the N.Y. Daily News, and also made Earl Wilson and Louis Sobol columns. Both syndicated nationally.

"Richard Avedon, the famous fashion photographer, shot a series of pictures of me. Richard had never photographed an exotic before and he's using me in his new book.

"And I did the 'Today' TV show. Also newstories via A.P. and U.P.I., with big picture layouts, any my pictures were submitted to Playboy magazine. Then back to Dallas where I starred in a color movie, 'Naughty Dallas.'

"Since Jack's incident, I've phoned papers and TV stations in cities where I've worked. The Pittsburgh Burlesk Theatre, where I opened circuit last week, capitalized

Mr. Tolson _____
Mr. DeLoach _____
Mr. Mohr _____
Mr. Casper _____
Mr. Callahan _____
Mr. Conrad _____
Mr. Felt _____
Mr. Gale _____
Mr. Rosen _____
Mr. Sullivan _____
Mr. Tavel _____
Mr. Trotter _____
Tele. Room _____
Miss Holmes _____
Miss Gandy _____

(Indicate page, name of newspaper, city and state.)

Page 4
Berks County Record
Reading, Pa.

Date: 2/27/64
Edition: Weekly
Author:
Editor: Jerry Kobrin
Title:

Jack Ruby;
Jada;

Character: 44-767
or
Classification: Phila.
Submitting Office:

144-24016-A
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126 MAR 16 1964

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58 MAR 16 1964

Bureau



very much. I did two TV shows, a women's noon-time interview-type show, and a broadcast. Also, the newspaper interviewed me exclusively on Ruby: his character, who his friends were, what type of man he was, my lawsuit against him, etc. Which resulted in picture story on second page of paper.

"Walter Winchell calls me the World's Hottest Exotic. I do an act on a Bengal tiger skin. I'm looking forward to being in Reading. Yours truly, Jada"

There's nothing more to add, friends. Jada has said it all.



RUBY'S GEM-- A former headliner at Jack Ruby's Carousel Club, in Dallas, is sultry Jada (above), who stars in Friday nite's burlesk bill at the Park Theatre. One national magazine recently called her Ruby's girl friend. Featured with Jada on the Park stage will be peelers Nancy Green, Mary Ann Sexton and Marilyn Miller, and comedians Meggs Lexing and Erby Wilson. Curtain times are 8:45 and 9:45 p.m.

BURLESK

STREET SHOWS
COME SEE THEM ALL

IN PERSON

ON STAGE

THE
Carousel Club

THEATRE
LOUNGE

World's
Hottest
Exotic

ADULT

IN PERSON!
Meggs Lexin
Erby Wilson
Nancy Green

STARRING
THE WORLD'S
MOST
BEAUTIFUL
EXOTICS!

JADA

Direct From
JACK RUBY'S
CLUB
in Dallas,
Texas.

LADIES HALF PRICE
JAMES S. MAURER'S
PARK
Fri. Feb. 28

DOUBLE ENJOYMENT SHOW!

(Mount Clipping in Space Below)

3 More Jurors Picked

By CARL FREUND

Attorney chose three jurors for the Jack Ruby murder trial Wednesday and predicted that testimony would start before the end of the week.

It was eight down and four to go when Judge Joe B. Brown recessed the trial until 9 a.m. Thursday.

Defense lawyers accepted a Grand Prairie postman on the jury although he said he has served as a police reservist there. He said his police activities would not affect his verdict.

The new jurors:

R. J. Flechtner Jr. of 818 Vinecrest in Richardson. He is 29, a paper salesman and a Christian Scientist.

Mrs. Gwen English of 1007 San Leandro, a 45-year-old bookkeeper. Her husband, B. T. English, is a diesel electrician for the Santa Fe Railroad. Like the majority of jurors chosen earlier, she is a Baptist.

J. G. Holton, 31-year-old

Grand Prairie mail carrier who said he likes to spend his free time fishing. He is a member of the Church of Christ, but attends Baptist services with his wife.

Mrs. English, who said she likes to watch courtroom duels

on the "Perry Mason" television show, was the second woman chosen for the jury.

Attorneys accepted the bookkeeper although she testified that she had seen "practically everything on television since President Kennedy's death."

She said this included pictures of Ruby shooting Lee Harvey Oswald after Oswald had been

arrested as the prime suspect in the assassination of President Kennedy.

Dist. Atty. Henry Wade claims Ruby shot Oswald in the heavily guarded City Hall basement Nov. 24 "in the mistaken belief it would bring him fame and fortune." Defense lawyers say Ruby "acted like a robot" while in a mental blackout and, as a result, is innocent of the murder charge filed against him.

Obviously elated over progress made during the day, Judge Brown commented, "I think we'll have a jury by Friday at the latest." Wade said he expects to start presenting testimony Saturday in his attempt to send Ruby to the electric chair.

Attorneys were on the verge of selecting a ninth juror. Then, at the last minute, defense lawyers learned that the prospective juror, J. C. Braswell, had helped guard the Oswald family while an Irving police reservist and Judge Brown ruled he was disqualified.

Defense lawyers used their tenth and eleventh peremptory challenges to reject Mrs. W. S. Wilroy, a 63-year-old Garland grandmother, and Max Archer, a steel mill electrician. They have a total of 15 challenges.

Wade used his fourth peremptory challenge to reject Miss Jewell Lyle, a phone company worker who voted for a 3-year term while serving as a juror in another murder trial.

Ruby Trial Testimony Likely Before Weekend

(Indicate page, name of newspaper, city and state.)

1 "The Dallas Morning News" Dallas, Texas

Date: 2-27-64
Edition:
Author:
Editor:
Title: Jack B. Krueger

Character:
or
Classification:
Submitting Office: Dallas

NOT RECORDED

128 MAR 2- 1964

57 MAR 24 1964

FBI
6-11-64

CARRY BIG HANDBAGS

Females Ticklish, Frisker Discovers

By KENT BIFFLE

Deputy Sheriff Rosemary Allen probes purse-onalities.

At the door to the Jack Ruby courtroom the green-eyed brunette frisks women visitors and delves into the deepest, darkest recesses of their handbags.

She's reached some conclusions.

1. Most women are ticklish and carry big handbags.

2. Orderly purse, orderly mind. And vice versa.

"You see a woman who looks neat. Her hair is perfect. Then you look in her purse. Ouch. It's full of loose cigarettes, used Kleenexes and junk. That says something about her personality."

In one purse was a ham sandwich, wrapped in wax paper with a rubber band around it.

From another Rosemary dumped five beer openers. The owner had doubtless heard this was a big case.

Sheriff Bill Decker has banned weapons and sharp objects. Judge Joe B. Brown has banned cameras and recorders.

So Rosemary looks at every tube of lipstick to make sure it has lipstick in it. One woman had a cosmetic case with 15 tubes.

While Rosemary and other women deputies frisk females, male deputies shake down the men. A standing jest that Rosemary hears 100 times a day is that the situation should be reversed.

Rosemary takes knitting needles and files them away with other objectionable property of visitors in the courtroom. "A knitting needle is a potential weapon," she said.

During a bond hearing for Jack Ruby last December, Rosemary arrested Karen Lynn Bennett, one of Ruby's strippers, who had come to court with a roscoe in her handbag.

During a change of venue hearing for Ruby early this year, Rosemary confiscated a water pistol from a mother who had earlier confiscated it from her small son who'd been playing with it in church.

Women have more hiding places than men, Rosemary believes. She has deftly plucked bundles of cash from bras and then diplomatically returned the money to its owners.

She has collected pocket knives, long fingernail files, a dinner knife from a Dallas restaurant and even a midget camera no bigger than a cigarette lighter.

There's a lot of giggling. Especially when Rosemary runs her hee hee fingers briskly from the subject's backbone around the ha ha subject's wheeeeeee waist.

Rosemary congratulates herself on having recovered the family jewels for a Massachusetts couple.

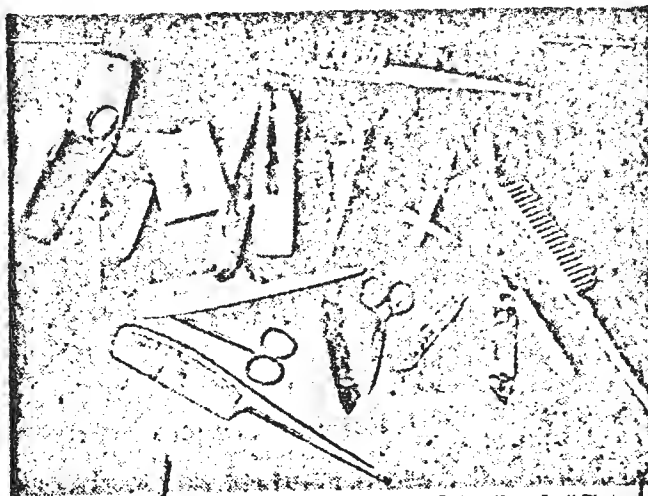
While searching the wife, Rosemary dug from her purse a brown envelope. "What can that be?" the wife asked.

Rosemary opened the envelope. A handful of sapphires dropped out.

"My studs!" exclaimed the woman's husband. "Those are the studs I was going to wear to our wedding!"

"How'd I get them?" asked the wife.

"They probably hadn't been married long," said Rosemary.



—Dallas News Staff Photo.

"A knitting needle is a potential weapon."



—Dallas News Staff Photos.

Mrs. Flechtner with Paige, left, and Tod.

Mrs. Holton with Mark, Julie Ann, J. G. III.

Phone Call, Note Halt OK for Juror

Viewers of Perry Mason, the television courtroom drama, would have felt right at home in Judge Joe B. Brown's courtroom Wednesday.

Defense attorney Melvin Belli was examining potential juror Jimmie Braswell, an Irving man who is an engineer for a trucking company.

Belli ran Braswell over the gamut of questions concerning his opinions, his knowledge of emotional and psychiatric problems and asked if the juror was familiar with psychomotor epilepsy, the disease with which Belli claims Ruby suffers.

"I'm familiar with some kinds of epilepsy, but not the kind you mention, Braswell replied.

"GOOD," SAID Belli as his questions got warmer and warmer.

"You would wait until you heard what the doctors said about Jack Ruby's state of insanity, would you not?" Belli asked.

"Right," said Braswell.

Big Joe Tonahill, Belli's assistant who had been missing throughout Braswell's testimony, lumbered back and handed Belli a yellow note (a la Perry Mason). Belli asked for a moment to read it.

Belli appeared surprised, and he asked Braswell if he had any law enforcement background.

Braswell said he had been a member of the Irving reserve police force since last July. And he had, in fact, guarded the Irving home of Mrs. Ruth Paine (where Marina Oswald and her children lived) the night after President Kennedy's assassination.

Braswell said he sat in a car across the street from 11 p.m. until 7 a.m. "It was no more stimulating than working traffic at a football game," he said.

Seven minutes later, after some perfunctory additional queries, Judge Brown dismissed Braswell.

TONAHILL SAID he had slipped out to telephone Braswell's cousin, Bob Braswell, in Jasper. "I had no idea what I'd find out," Tonahill said, "but you can say I'm glad I called."

Belli said, "We would have accepted him. I'm glad Joe came in at the right moment."

Dist. Atty. Henry Wade said he would have accepted Braswell, also.

The second witness after Braswell was Mrs. Gwen L. English, a 45-year-old bookkeeper who said "Perry Mason's one of my favorites."

Oddly enough, the third juror picked Wednesday also was a reserve policeman, at Grand Prairie.

The defense said J. G. Holton Jr., a 31-year-old mailman, was acceptable.

Belli and mates found out that Holton did more fishing than policing and he didn't even know where the Paine house was.



—Dallas News Staff Photo by Jack Beers.

Visitor to the Jack Ruby murder trial gets once over thoroughly.

Jurors' Families Show No Surprise

By HUGH AYNESWORTH

Reporters always seem to show surprise when another juror is chosen at the Jack Ruby murder trial.

But families seldom are surprised that their breadwinner or wife has been picked on the ultra-exclusive jury.

"Why shouldn't she be chosen?" asked B. T. English, of 10078 San Lorenzo, an electrician for Great Colorado & Santa Fe railroad, when informed Wednesday that his 46-year-old wife, Gwen, had become a juror.

"It's a civic duty," said English. "I've had to pass it three or four times (jury duty) because of my job, but somebody's got to do it."

He said Mrs. English "thinks things out for herself."

Robert Jacob Flechtner Jr., 29, of 818 Vinecrest, Richardson, telephoned his wife and she said they talked "mostly about last night's (Liston-Clay) fight."

"That was more surprising than R. J.'s being chosen on the jury," she added.

Mrs. Mary Holton, 25, wife of J. G. Holton Jr., the Grand Prairie mailman, said she wasn't surprised, either, when a reporter telephoned her the news.

"Well, are you excited?" the newsman asked.

"I don't know yet," Mrs. Holton said. "He's a natural for the jury; he's calm and thinks things out completely."

The Holtons have three children, J. G. III (Buddy), 6; Mark, 4; and Julie Ann, 2. They have been married eight years—the same length of time J. G. has been a walking postman in Grand Prairie.

He is of the Church of Christ faith, she is a Baptist. They attend Eighth Street Baptist Church.

Mrs. Holton has lived in Grand Prairie all her life. Her folks, Mr. and Mrs. W. J. Mitchell, also live there.



Mrs. Gwen English . . . seventh Ruby juror.

Her husband, the juror, attended high school in San Diego, Calif., but graduated from Grand Prairie High. After four years in the Navy, he attended Arlington State for a year.

The J. G. Holton Seniors live in Arlington.

Flechtner, a Christian Scientist, has two children, Tod, 3, and Paige, 8 months.

His wife, Barbara, also 29, said Flechtner is "soft-spoken" and likes to work on hotrod cars in his spare time.

The Englishes, married 14 years, grew up at Cleburne and attended school there. English said he joined the railroad 22 years ago at Cleburne and transferred here with it. He is 47. They are Baptists.

Would he vote the death penalty if in his wife's place (and the evidence warranted it, of course?)

"Under certain circumstances," he replied.

English's mother, Mrs. S. E. English, still lives at Cleburne. Mrs. English's parents, Mr. and Mrs. E. J. Locker, also live there. Had they been separated much before?

"Only when I go deer hunting or fishing," said English.



J. G. Holton Jr. . . . eighth Ruby juror.



B. T. English . . . his wife's on the jury.



Robert Jacob Flechtner Jr. . . . sixth Ruby juror.

"Not more than a day or two, when he goes fishing. ~~He goes~~ fishing all the time," replied Mrs. Holton of her husband.

"One week is the longest," said Mrs. Flechtner.

Flechtner, incidentally, was to begin work last Monday as a salesman for Clampitt Paper Co. Jury duty beckoned and he hasn't made it to work yet. ~~and it~~ might be a while before he does.



APPLES YIELD BLANK PISTOL

Sheriff Bill Decker's deputies found a blank pistol when they searched a bag of apples carried by a 77-year-old man who showed up for the Jack Ruby murder trial Wednesday.

The man, who said he was from Chicago, could give no explanation for the harmless weapon.

Decker arranged to turn him over to relatives here.

6

ON THE LINE:

An All-White Ruby Jury?

An All-White Ruby Jury? By BOB CONSIDINE

DALLAS: There doesn't appear to be much chance that a Negro will make the Ruby jury.

Four have been questioned among the panelmen and women who have paraded to and from the witness chair, to answer questions about their qualification. All have been curtly dismissed when they asserted that they do not believe in capital punishment.

Dallas County Criminal Courts Building, where the trial is being held, is not a place to make a Negro feel very much at home. A water fountain just to the right of the main entrance is labeled WHITE. The ground floor men's room is "For White Men Only."



CONSIDINE

District Attorney Hank Wade, former FBI man who has won the death verdict in 23 out of his past 24 such cases, had not addressed any of the Negroes so far questioned as "Mr." or "Mrs."

Yesterday when Big Joe Tonahill, the Jasper (Tex.) giant, saw a Negro man being led toward the chair for interrogation, he rose to his full 6-foot-4 and boomed, "Your Honor, let the record show that the venireman is a member of the colored race and we respectfully ask you to protect him from further abuse by the D.A."

The prosecution leaped like four rockets simultaneously leaving their pads.

"I never saw anything so contemptuous as that last remark from Mr. Tonahill," shouted First Assistant D. A. Bill Alexander in the sometimes remarkable grammar of the case.

The panelman sat uncomfortably through this and other hot exchanges. He seemed relieved to get out of there when the time came to assert his feelings about his ability to vote the death penalty.

JFK's ASSASSINATION has put

money in the pockets of countless persons he never knew existed.

Dallas is supposed to have some kind of "guilt" complex as scene of the crime and of the subsequent murder of the accused assassin. But the city has its share of stores selling photographs of the late President, phonograph albums of his speeches, books, medallions and souvenirs bearing his features.

Mrs. J. D. Tippitt, widow of the policeman Oswald killed in the course of his thwarted getaway, has now received about \$600,000 in contributions. It is tax free. Her husband's salary was \$6,000 a year. Contributions amounting to about \$25,000 have been sent to Mrs. Marina Oswald, who is having troubles with her business agent for selling a set of hitherto unpublished pictures of Oswald "too cheap."

Ruby's syndicated explanation of why he killed Oswald did about \$75,000 worth of business. Oswald's mother wants in and swears she'll sue left and right to get her share. Finally, Tom Howard, Ruby's local lawyer who was given the heave-o when Melvin Belli soared into the case, says he's going to write a book entitled "How I Would Have Handled the Ruby Trial" by gum.

* * *

RUBY JURORS No. 4 and No. 5, Luther E. Dickerson and Douglas V. Sowell, may conceivably not have brightened the jurors' dormitory when they showed up there Tuesday in quick succession. If it was news of the outside world that the three jurors already in the dormitory were wanting of their two new confreres, there's not much chance they got any.

In qualifying, Sowell said, sure, he had read about President Kennedy getting shot here, and this fellow Oswald a couple days later, "but I lost interest in it after a few days." Dickerson said on the stand that he hadn't seen the shooting of Oswald on TV. "I was out of town," he explained.

Tolson ☒
Belmont ☒
Mohr ☒
Casper ☒
Callahan ☒
Conrad ☒
DeLoach ☒
Evans ☒
Gale ☒
Rosen ☒
Sullivan ☒
Tavel ☒
Trotter ☒
Tele Room ☒
Holmes ☒
Gandy ☒

Handwritten notes and signatures:
Belmont
DeLoach
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Gale
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Sullivan
Tavel
Trotter
Tele Room
Holmes
Gandy

The Washington Post and Times Herald _____
The Washington Daily News _____
The Evening Star _____
New York Herald Tribune _____
New York Journal-American _____
New York Mirror _____
New York Daily News _____
New York Post _____
The New York Times _____
The Worker _____
The New Leader _____
The Wall Street Journal _____
The National Observer _____
People's World _____
Date _____

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JACK L. RUBY, AKA
LEE H. OSWALD, AKA - VICTIM
CIVIL RIGHTS

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7 Now on Ruby Jury Selection Pace Quickens

DALLAS, Feb. 26 (AP).—A young salesman was accepted today as the sixth juror in Jack Ruby's murder trial, and a housewife was accepted as the seventh.

The sixth juror was R. J. Flechtner, 29, married and the father of two children.

He passed the tests of the State and the defense in record time for this trial of 20 minutes.

Mrs. Gwen L. English was sworn in as the seventh juror. She is the second woman to be accepted.

Principals in the courtroom generally agree that the jury may be complete by the end of this week or early in the next.

Others Selected

Luther E. Dickerson, 27, vice president of a chemical firm, and Douglas J. Sowell, 33, an airline mechanic, are the other new jurors. Yesterday they joined a woman and two men previously sworn in.

Ruby is accused of murder with malice in the death of Lee Harvey Oswald November 24. He faces possible execution in the electric chair. Oswald had been charged with the assassination of President Kennedy in Dallas November 22.

Eighty prospective jurors have been examined.

More than half of those rejected "for cause"—35 of 62—said they are opposed to capital punishment.

Melvin Belli, Ruby's chief defense counsel, said he doesn't believe this is their real reason.

"I think people are using capital punishment as an excuse for getting out," Mr. Belli said. "The real reason is that they have fixed opinions about Ruby."

Bias Alleged

Mr. Belli says Dallas County is biased against Ruby and renews his motion, again and

again, to move the trial away from that city.

When the jury is assembled, Mr. Belli said, "You're going to get 12 people and they'll try the case pro forma" (for form's sake). However, in accepting the four men and a woman, he has said he thought they would be good jurors.

As the jury-picking grinds along, tempers appear to be fraying.

When Assistant District Attorney William F. Alexander sarcastically commented about continual defense interruptions yesterday, Assistant Defense Attorney Joe Tonahill retorted: "I'll continue to interrupt as long as the District Attorney continues to be dishonest with witnesses."

The Washington Post and Times Herald _____
The Washington Daily News _____
The Evening Star *P 16* _____
New York Herald Tribune _____
New York Journal-American _____
New York Mirror _____
New York Daily News _____
New York Post _____
The New York Times _____
The Worker _____
The New Leader _____
The Wall Street Journal _____
The National Observer _____
Date *2-26-64* _____

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102 MAR 1 1964

57 MAR 5 1964

Night Sessions of Trial Indicated

7th Ruby Juror Picked

DALLAS, Feb. 26 (UPI)—Gwen Ruby, charged with the assassination of Lee Harvey Oswald, slayer, a fair trial. President Kennedy's alleged

L. English, a secretary, was selected today as the seventh juror in the Jack Ruby murder trial. A sixth juror was chosen earlier. He was R. J. Flechtner, a 29-year-old paper salesman.

IN ISOLATION

They join Douglas J. Sowell, Luther E. Dickerson, Mrs. Mildred McCollum, Allen W. McCoy and Max E. Causey in the courthouse isolation dormitories for jurors.

Mr. Flechtner lives in Richardson, just outside the city limits. Only Mr. Sowell is a resident of Dallas.

Meanwhile District Court Judge Joe B. Brown said he may begin night session of the trial.

"I think I'll start them," he told District Atty. Henry M. Wade today. Mr. Wade said he sounded positive.

Defense lawyers were about resigned to the fact that the trial will be held in Dallas—and not in another city as they have been insisting it should be.

POINTS TO BOX

"Next week, regardless of what we can do, say, or otherwise, that box over there will be filled," chief defense lawyer Melvin Belli said.

He nodded toward the jury box. There are 12 seats and no provisions for alternate jurors. Texas law allows none. If a juror becomes too ill to serve, after the panel is sworn, it's a mistrial and they start all over again.

Two jurors were chosen yesterday, bringing the total to five. They were Luther E. Dickerson, 27, vice president of a chemical company, and Douglas J. Sowell, 34, an airline mechanic. Both said they had no opinions on the case.

STILL FIGHTING

Chief defense attorney Melvin Belli has been fighting to show that Dallas cannot give

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The Washington Post and Times Herald _____
The Washington Daily News _____
The Evening Star _____
New York Herald Tribune _____
New York Journal-American _____
New York Mirror _____
New York Daily News _____
New York Post _____
The New York Times _____
The Worker _____
The New Leader _____
The Wall Street Journal _____
The National Observer _____
Date 2-26-64

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102 MAR 1 1964

TOP CLIPPING
DATED 2-26-64
FROM EVENING STAR
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Ruby Jury Picking Speeded; Get 2 in 1 Day

By THEO WILSON

Staff Correspondent of THE NEWS

Dallas, Feb. 25—Two Dallas County rarities—a young executive who never saw the Lee Harvey Oswald murder on TV and an airplane mechanic who "lost interest" in the killing "right away after the first few days"—became Jack Ruby's fourth and fifth jurors today.

Luther E. Dickerson, 27, of Mesquite, vice president in charge of purchasing for a chemical company, explained he missed the shooting and the reruns because "I was out of town."

He said he was an active worker in the Junior Chamber of Commerce, and apparently this didn't leave him much time for

anything else besides his job. He was the fourth juror chosen.

Has No Opinions

No. 5 was Douglas J. Sowell, 33, a plane mechanic for Braniff Airways. He became disinterested in the case, he said, and had no opinions on the matter.

Ruby faces the electric chair if found guilty, and today he looked like a man who has been thinking about it. He has always

been sallow and sunken-eyed, his skin moist and shiny. Now he looks ill, his color almost green. He merely stared at prospective jurors as they were questioned, expressionless even when something was said that made others in the courtroom smile.

When the jurors were accepted, defense attorney Joe Tonahill said he was "taking them out of



(By Associated Press)
 Sketch by artist Woodi Ishmael shows Luther E. Dickerson undergoing questioning.

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circulation," and that's exactly what happened to them. Escorted by a bailiff to join the woman and two men already sworn, the new jurors now will be able to talk only to each other and their guards and will have to sleep in the jury dorm provided in the Criminal Courts and Jail Building where Ruby is on trial.

2d Prosecutor at Bat

Chief Assistant DA Bill Alexander took over the questioning today for the first time since examinations started last week and he zipped through the veniremen. He got into a yelling match with defense attorneys Melvin Belli and Tonahill over his questioning on capital punishment.

When Belli objected to the phrasing of the question, Alexander, a sharp-faced, hawk-eyed man, snapped:

"We're not here to educate the defense."

"That would be difficult to do," Belli retorted.

Then Belli went into a tirade against Alexander's "insults," referring to a time during Ruby's bail bond hearings when Alexander used the phrase "Jew boy." He said it takes "only four hours for him to become insulting — maybe that's why he has been kept out of the court all this time."

Tonahill Cuts In

Next Tonahill got into the argument, protesting that Alexander had taken "the name of the Lord in vain." Alexander had said something that included the phrase, "by God . . ."

"If he is allowed to take the name of the Lord in vain in Dallas County," Tonahill thundered, "what in the name of heaven can we expect here?"

He warned the judge there would be another outburst from him if Alexander used the Lord's name, adding: "Ah won't tolerate it, no sub!"

Judge Joe B. Brown told Tonahill to sit down and excused the prospective juror then on the

stand for opposing capital punishment.

Getting two men sworn in the same morning broke all speed records for the jury examination so far. They were the 67th and 68th questioned since the trial began a week ago.

The two were accepted during a morning interrupted by an outburst from Tonahill about the district attorney's alleged "abuse" of Negro veniremen, the DA's angry denial, a request from Belli for a psychiatrist's brain-wave testing of Ruby which the judge has turned over to the state, and the usual accusations, objections and arguments which have become routine.

They Come Up Shouting

When a Negro prospective juror was called, Tonahill rose and asked the judge to let the record show that the venireman was "a member of the colored race and we respectfully ask your honor to protect him from further abuse by the district attorney."

As the huge defense lawyer

from Jasper, Tex., made this statement, everybody sitting at District Attorney Wade's table jumped up, objecting.

Jim Bowie, who has been doing most of the tangling with Tonahill until today, when Alexander took over, cried out to the judge, his face red with rage:

"I never saw anything so contemptuous as that last remark from Mr. Tonahill."

Later, Tonahill was asked what he meant by his charges of abuse, since the man hadn't even been questioned yet. Tonahill said it was the "frightening manner" in which another Negro had been questioned yesterday. Nobody seemed to have noticed it except Tonahill.

Only one Negro woman and three Negro men had been called at this time. All were excused almost immediately when they said they opposed the death penalty.

"Too Busy to Discuss It"

Dickerson, a Baptist with two sons, is a solemn-looking, small-boned young man.

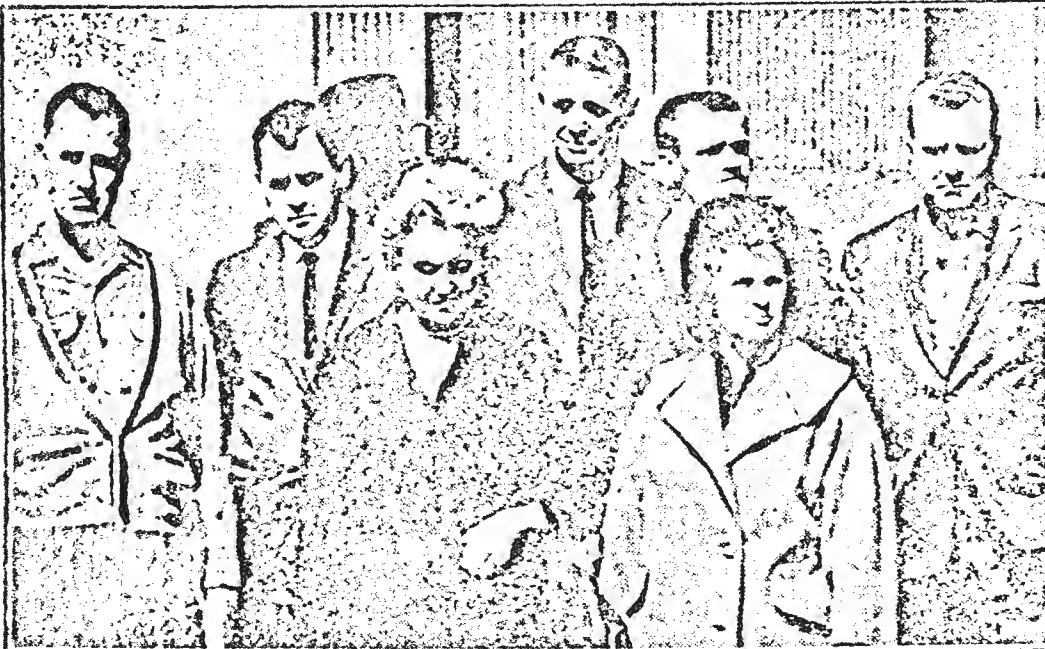
He has "nothing against striptease places" understands ink blot tests, and said that polygraph lie detecting instruments are used in his company on employees. (This was in answer to questions from Belli, who is very high on psychiatric tests and polygraphs.)

Sowell is Baptist, has a 9-year-old daughter and a 6-year-old son, and is a big, genial and relaxed man. He said he didn't think "Dallas had anything to do" with the President's murder and that as a Texan he did not feel defensive about the tragedy.

The only thing he said he remembered of the TV rerun he saw on the Oswald murder was that Ruby "dainted, he shot him, and Oswald fell down."

During the morning session seven veniremen were questioned. Besides the two sworn in, four were excused because of scruples against execution, and one because he did not think he could accept a plea of insanity.

In the afternoon session 12 were questioned with six excused because they opposed the death sentence and six were excused for having fixed opinions or for other cause.



Leophtics in Dallas for Ruby jurors. (rear, l. to r.) Juror Allan W. McCoy, juror Douglas J. Sowell, juror Luther E. Dickerson and juror Max E. Causey. In front, bailiff, Mrs. Nell Tyler (left), escorts juror, Mrs. Mildred McCollum.

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UPI-41

(RUBY)

DALLAS--JURY SELECTION IN THE JACK RUBY MURDER TRIAL REACHED
 THE HALF-WAY MARK TODAY. R. J. FLECHTNER, A SALESMAN, WAS SWORN IN
 AS SIXTH JUROR.

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WASHINGTON CAPITAL NEWS SERVICE

(Mount Clipping in Space Below)

Lawyers Battle After Two More Jurors Chosen

By CARL FREUND

The most violent clash of the Jack Ruby murder trial erupted Tuesday after attorneys chose two jurors in quick succession.

The torrid courtroom exchange pitted Assistant Dist. Atty. William F. Alexander against defense lawyers Melvin Belli and Joe Tonahill.

Alexander and Belli ignored the first attempts of Judge Joe B. Brown to end their shouting match.

The fourth and fifth juror were selected during a more placid morning session.

The jurors:

Luther Dickerson of 2314 Candieberry in Mesquite, 27-year-old vice-president and purchasing agent for Fritz Chemical Co., which manufactures tile.

Douglas J. Sowell of 5716 Glen Forest, 34-year-old mechanic for Braniff International Airways.

Sowell said he has no opinion why Ruby killed Lee Harvey Oswald, a 24-year-old Marxist accused of assassinating President

John F. Kennedy. He said he saw a television "rerun" of the Nov. 24 shooting, which took place while cameras were trained on Oswald in the City Hall basement.

Sowell said, however, that the scenes on his television screen would not affect his verdict. He said he could fairly consider the defense contention that Ruby pulled the trigger while suffering from organic brain damage which caused him to "black out."

Dickerson said he was out of the city when the shooting took place and had not read "too much about it" since he has been busy with Jaycee activities.

Alexander tangled with Belli and Tonahill during questioning of Larry Reynolds, a 26-year-old Cedar Hill resident called as a potential juror.

When defense lawyers challenged the wording of a question, Alexander snapped, "I'm not here to educate the defense."

"That would be difficult for you to do," Belli retorted.

Then Belli referred caustically to previous courtroom comments by the prosecutor and Alexander muttered, "By God," before his voice was drowned out.

(Indicate page, name of newspaper, city and state.)

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"The Dallas
Morning News"
Dallas, Texas

Date: 2-26-64

Edition:

Author:

Editor:

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Jack B. Krueger

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Judge Brown Hopes for Jury This Week

Judge Joe B. Brown expressed a hope Tuesday that lawyers will complete the jury for the Jack Ruby murder trial this week.

"I think our chances of getting a jury have improved materially," Judge Brown said. "I think it's possible now that we may com-

plete the jury this week."

His comments came after lawyers chose two jurors in quick succession, bringing the total to five. They need seven more to complete the panel which must decide whether Ruby committed murder when he shot Lee Harvey

Oswald, the Marxist accused of assassinating President Kennedy.

Reporters agreed during the morning that defense lawyers Melvin Belli and Joe Tonahill had adopted more conciliatory tactics while questioning prospective jurors. The lawyers were no longer accusing veniremen of "trying to get on the jury" or challenging them to take lie detector tests.

Dist. Atty. Henry Wade noticed the change, too.

"I don't know the reason," Wade said. "It may be that they're tired or that they're worried about running out of peremptory challenges (which allow them to reject 15 prospective jurors without giving a reason) or that they're finally convinced Judge Brown isn't going to transfer the trial."



HERE'S HOW JURY GOING

Attorneys have questioned 80 prospective jurors since jury selection for the Jack Ruby murder trial began Feb. 17, with the following results:

Five have been accepted for the jury.

Defense lawyers used peremptory challenges to reject nine without giving any reason. Prosecutors used three of their 15 peremptory challenges.

One potential juror was excused because of illness.

Judge Joe B. Brown ruled the other 62 disqualified for a variety of reasons. Most said they had opinions which could affect their verdicts or conscientious scruples against the death penalty.

Tonahill denied defense lawyers had changed strategy.

"If my voice sounds softer, it's because I have a cold," he said. "Of course, we've never tried to argue with prospective jurors . . . regardless of what Wade says. We have tried to find what is in their sub-conscious minds."

The Texas Supreme Court refused Monday to clear the way for defense lawyers to disqualify every prospective juror who had seen the shooting on television. This would have forced Judge Brown to transfer the trial to another county.

Belli said Monday he might go directly to the U.S. Supreme Court. Tuesday, however, he told reporters, "We're going to stay here and see what happens."

Belli asked Judge Brown again Tuesday to move the trial. The defense lawyer said Wade wants to convict Ruby "to further the political ambitions of the district attorney."

"A fair trial in Dallas amounts to letting a jury go in there (the jury room) and voting to send Ruby to the electric chair," Belli declared.

Judge Brown saw little merit in the defense contention. He promptly rejected it.

IRS People File Tax Lien on Ruby

Jack Ruby would consider it the least of his worries, but deputies in County Clerk Glenn Byrd's office said Tuesday they have filed another tax lien against him.

Internal Revenue agents said in the lien that Ruby owes the federal government \$781 in excise taxes on his Vegas Club.

Ruby is standing trial of a charge of murdering Lee Harvey Oswald and prosecutors are seeking the death penalty.

FROM LIVES

2 Jurors Face Long Separation

By KENT BIFFLE

Call it a legal separation.

Mr. and Mrs. Luther Dickerson have never been apart more than two weeks since they were wed eight years ago.

Mr. and Mrs. Douglas Sowell have never been apart more than a week in their 11 years of marriage.

The Jack Ruby murder trial might change all that.

Luther Dickerson and Douglas Sowell Tuesday became the fourth and fifth jurors selected in the slow-moving trial.

They'll be away from their families until the trial ends.

Dickerson, 27, of 2314 Candleberry in Mesquite, is vice-president of the Fritz Chemical Co.

His favorite diversion is playing bridge. There'll be plenty of time for that.

Sowell, 34, of 5716 Glen Forest, is a maintenance worker for Braniff International Airways.

The jury dormitory isn't equipped for Sowell's favorite pastime—fishing.

"We'll miss him. But we'll just have to manage, I guess," said Bernice Sowell. The Sowell children are Steven, 6, and Debbie, 9.

Secretary for a furniture firm, Mrs. Sowell, 31, said her husband thought there was no more than "a possibility" that he would be chosen for the Ruby jury.

Bernardine Dickerson, on the other hand, has been predicting since Thursday that her husband (she calls him Gene) would land on the jury.

"You have to know Gene. He's quiet. He doesn't discuss anything. Honest. I mean he just sits there with his arms folded like this while I yak. He's not like me at all."

Dickerson is running for treasurer of the Mesquite Junior Chamber of Commerce. The election is March 3. Mrs. Dickerson said he's already finished most of his campaigning so the jury service won't make much difference.

The Dickerson children are Kenneth Wayne, 7, and Gregory, 3.

"Gene's been trying to quit smoking. I hope the judge won't let him smoke in the jury box."

"Golly. It's going to be a long time. Maybe I can go downtown and watch when the jurors go to a restaurant to eat."

"Are there any pretty girls on that jury?"



Luther Dickerson . . .
fourth Ruby juror.



—Dallas News Staff Photos by Tom Dillard.

Mrs. Dickerson with Kenneth, left, and Gregory.

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UPI-105

(RUBY)

DALLAS--GWEN L. ENGLISH, A STYLISH SECRETARY, TODAY WAS SELECTED AS SEVENTH JUROR IN THE JACK RUBY MURDER TRIAL. SHE WAS THE SECOND SWORN IN TODAY.

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WASHINGTON CAPITAL NEWS SERVICE

Charge Ruby Deal By FBI to Cover Its Tie to Oswald

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DOROTHY KILGALLEN EXCLUSIVE

Ruby Case Mystery: Why FBI Helped Him

Defense Got Secret Data

By DOROTHY KILGALLEN

DALLAS, Feb. 21—One of the best kept secrets of the Jack Ruby trial is the extent to which the Federal Government is cooperating with the defense.

The unprecedented alliance between Ruby's

OSWALD 'CLASSIFIED'

It appears that Washington knows as much as anyone about Lee Harvey Oswald's last 10 days and weeks before he was shot and killed in the world's most famous sniper attack. This is certain to emerge clearly when the trial progresses to the stage where testimony is given. The last six persons personally appearing in court to claim the strongest link for Harvey Oswald have passed on not only to his shadowy record, but to the extensive ranks of "classified" persons whose whole story is known only to a few government officials.

THE HEARST press headlines Dorothy Kilgallen's story from Dallas.

By GEORGE MORRIS

THE N. Y. JOURNAL-AMERICAN in a copyrighted story Friday from Dallas by Dorothy Kilgallen, says the federal government through the FBI is "cooperating" with the defense of Jack Ruby on the basis of an understanding that no questions would be asked during the trial about Lee Harvey Oswald, the man Ruby killed.

Miss Kilgallen writes that an "alliance" was arranged last month between the FBI and Ruby's lawyers. The deal enables the defense to obtain "reams of helpful information" that otherwise would not be obtainable from the FBI. She writes:

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New Attorney

MRS. LEE HARVEY OSWALD has fired John Thorne, her attorney, and James H. Martin, her business manager. It was announced in Dallas Saturday.

She engaged as her new attorney William A. McKenzie, Dallas attorney who accompanied Robert Oswald during his testimony before the Warren commission.

Mrs. Oswald gave no reason for the changes.

Martin had announced last week that Mrs. Oswald had signed contracts with Meredith Press in Des Moines, Iowa, for the book rights to her memoirs, and with Tex-Italia Films, an Italian company, for motion picture rights. Martin, however, refused to say how he and Thorne would benefit from the contracts.

the Philadelphia Inquirer and the Houston Post, dug up some corroborating material.

Mrs. Oswald suggests her son was dragged into the conspiracy as a "scapegoat." Other evidence points to the possibility that others were triggermen because the President was hit from the back and front.

But whatever the truth, the Journal-American will strongly influence some new public thinking on the assassination mystery that the Dallas police and the FBI declared "solved" and "closed" within hours of the crime.

Meanwhile more mystery was added with entry of a new person into the picture, Lee Oswald's older brother, Robert, who testified before the Warren Commission, bringing 20 letters that he had received from Lee during the year and a half that Lee sought an exit visa from the Soviet Union. According to the Chicago Daily News, an informant of the Warren Commission

"It appears that Washington knows or suspects something about Lee Harvey Oswald that it doesn't want Dallas or the rest of the world to know or suspect."

The story suggests that the defense will be told that not only is Oswald dead but that he passed on "to the mysterious realm of 'classified' persons whose whole story is known only to a few government agents."

The Journal-American's story, under a blazing headline and presumably running in all the papers of the Hearst chain, seems to have run against the "national security" wall that Chief Justice Earl Warren, chairman of the commission investigating the assassination, indicated when he said that some information may not be known "for decades" or "in your lifetime."

Miss Kilgallen's story all but says that Oswald may have been an agent of the CIA, as his mother has been saying at news conferences all over the country. And it adds more to doubts in many minds concerning the FBI claim that Oswald and Ruby were total strangers and each acted alone spurred only by psychiatric disorders.

The Worker has been pointing out since the week of the assassination that what is known of Oswald's conduct bears all the earmarks of an undercover agent. The Worker has been alone in that position and accumulated the evidence to back it, until Mrs. Marguerite Oswald made her disclosures. Then certain other newspapers, notably

sion said the letters contained information on the nature of Oswald's work. But no details were given. Officially, the Warren Commission was mum, in contrast to the daily briefing sessions with the press when Oswald's widow, Marina, testified.

Just before Lee Oswald boarded a ship out of New Orleans for Europe in the fall of 1959, he wrote his mother he must go and that she "wouldn't understand." Possibly he wrote more particulars to his brother.

Mark Lane, whom Mrs. Oswald has engaged as lawyer for her son to clear his name, told a Town Hall meeting in N. Y. last week that a week before the killing, Bernard Weissman, sole signer of the full-page \$1,400 anti-Kennedy ad in the Dallas News on the day of the assassination and patrolman J. D. Tippett whom Oswald allegedly shot, together with a third person whom he may be able to name later, met in Jack Ruby's striptease joint, the Carousel. Lane declined to discuss Ruby's involvement in the picture on the ground that the trial is on.

Meanwhile the monotonous routine continued of trying to find a jury in Dallas for Ruby's trial.

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Mother of 6 Is No. 3 On Jack Ruby's Jury

By THEO WILSON
 Staff Correspondent of THE NEWS

Dallas, Feb. 24—A suburban mother of six children, who works as a secretary in Dallas, was sworn as Jack Ruby's third juror today. She joined his two male jurors in almost complete isolation.

Until Ruby's first-degree murder trial for the slaying of Lee Harvey Oswald ends—and this has been estimated at from 30 to 45 days—Mrs. Mildred McCollum will not see or speak to her four sons, her two daughters, her machinist husband or her boss, a building contractor.

The 40-year-old, slender brunette wears no makeup but is pert and attractive. She was the 49th prospective juror questioned since the jury selection started last Tuesday morning.

Defense attorneys Melvin Belli and Joe Tonahill, trying to save the 52-year-old defendant from the electric chair for the shooting of President Kennedy's accused assassin, plan to plead temporary insanity for Ruby. They established that Mrs. McCollum would accept such a plea as more than a "sham."

Defense Keeps Hammering

Every day since the trial opened the defense has been asking Judge Joe B. Brown for a change of venue, charging that the former strip joint operator cannot get 12 impartial jurors here.

They also have been trying since last week to subpoena as defense witnesses prospective and sworn jurors who saw the Nov. 24 Oswald murder on TV.

Today they asked the Texas Supreme Court in Austin to order Judge Brown to let them issue the subpoenas—one for a sworn juror, Max E. Causey, and one for an excused juror, H. C. Connally. In both cases the judge had quashed the subpoenas on mo-

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tions by District Attorney Attorney Henry Wade and his aid, Jim Bowie.

Within a few hours after the nine justices received the defense request, they voted unanimously not to consider it.

If it had been accepted, it could have made it almost impossible to get a jury here or anywhere in Texas, since witnesses to a murder can be disqualified as jurors.

Wade called the defense maneuver "another frivolous motion to delay getting a jury here." He said that at the rate the selections are going, "we may not get a jury until the latter part of next week."

Mrs. McCollum was sworn as a juror at 11:15 P.M. and was taken immediately by a woman bailiff to join the two men jurors in the jury deliberation room behind the judge's bench.

Could Have Asked Exemption

Like Causey, she is from the Dallas suburb of Garland. She belongs to the Assembly of God Church.

Although she could have exempted herself because she has children 14 years old and younger, Mrs. McCollum did not do so.

Both the prosecution and defense found her acceptable after only 25 minutes of questioning—the fastest examination of an accepted juror so far.

Mrs. McCollum said her six children range in age from 10 to 20. The oldest is a son attending Texas A. and M. University. She told Wade that she saw part of the TV rerun of the Oswald shooting, that she had read very little about the case, that she believed in capital punishment, and that she had formed no opinions on the case.

Denies Prejudice

She told Tonahill she could accept insanity as a defense and would not convict a defendant if it were proved he was insane at the time of the act.

Asked by Tonahill if she had any prejudice toward Ruby because he used to run a strip joint here, she said: "What he does is his own business." Asked if she felt Dallas was "as much on trial as Jack Ruby," Mrs. McCollum said, in her clear, rather sharp voice:

"No, the people I have spoken with think Dallas is the same city it always was."

Mrs. McCollum's husband, Drexel, told reporters his wife's jury service would not cause the family any trouble.

"Our 15-year-old daughter, Patricia, can do the cooking," he said.

A bailiff went to the McCollum home to get clothing for the new juror.

In the morning session four other jurors were excused, a man and a woman because of scruples against the death penalty and two men because they had fixed opinions.

The defense used its eighth peremptory challenge during the afternoon session to rid itself of a retail grocer it believed was overeager to get on the jury and who apparently was not of the "sophisticated" type Belli has said he wants for the trial.



(By Associated Press)
Sketch by artist Woodi Ishmael catches Mrs. Mildred McCollum, third Ruby trial juror, as she is questioned by Judge Joe B. Brown.



(Associated Press Wirefoto)

Ruby jurors return to court after lunch. They're (l. to r.) Max E. Causey, Mrs. Mildred McCollum and Allen McCoy.

4th Ruby Juror Is Selected; Didn't See Shooting on TV

DALLAS, Tex., Feb. 25 (AP). —The fourth juror was selected today for the murder trial of Jack Ruby in Dallas.

He is Luther E. Dickerson, 27, a vice president of a chemical firm.

He testified that he did not see either the original or any re-runs of the televised scene in which Ruby shot Lee Harvey Oswald, the accused assassin of President Kennedy, on November 24.

During Mr. Dickerson's questioning by Chief Defense Counsel Melvin Belli, it was pointed out to him that a newspaper account today reported that a Dallas firm uses the polygraph sometimes in hiring new employees. Mr. Belli asked if that was Mr. Dickerson's firm.

"It could be," Mr. Dickerson replied.

Was Out of Town

Mr. Belli attempted to ask him whether he personally had any part in conducting polygraph tests. A storm of objections came from the prosecution, and District Judge Joe B. Brown sustained them.

Ruby's defense is based on temporary insanity.

Mr. Dickerson is married and has two sons.

He said he was out of town when Oswald was killed and that he had not discussed the shooting with anyone.

Mr. Belli asked him if he had read much about the case, and he said, "Somewhat."

Under questioning, he said he

had read accounts of Ruby's background but that all he remembered was the fact that Ruby came from Chicago to Dallas.

"We Like This Juror"

Before accepting him, Mr. Belli, Assistant Defense Counsel Joe Tonahill and Ruby huddled in a brief whispered conference. Mr. Belli then said, "Mr. Dickerson, we are going to take you out of circulation for a while." Addressing the judge, Mr. Belli said, "We like this juror." District Attorney Henry Wade promptly accepted.

Mr. Dickerson was the 67th person called.

Meanwhile, Ruby's attorneys held in abeyance their decision on whether they will ask the United States Supreme Court to rule on questions in his murder trial which, they claim, arise from the televised scenes of the shooting of Oswald.

The defense contends that anyone who saw the killing on television is ineligible to sit on the jury judging Ruby.

Yesterday, the nine-member Texas Supreme Court voted unanimously against reviewing the decision of Judge Brown against excluding from the jury persons who witnessed the slaying of Oswald on television.

Three Alternatives Seen

Defense attorneys said three alternatives are still open to attempt to obtain court rulings on this question:

1. To go "immediately" to the United States Supreme Court.

2. To go before the Texas Supreme Court tomorrow and ask to be heard orally.

3. To continue the trial in Dallas and "wait until the case is over and then, in the event of an adverse verdict, make our appeal."

At the outset of today's session, Mr. Belli suggested that Dr. Karl Menninger of Topeka, Kans., be called in as an impartial member of a panel that is examining Ruby on the question of sanity. The defense attorney said he understood the three doctors on the panel would be glad to have the assistance of Dr. Menninger, a widely known psychiatrist.

Judge Brown said the matter would be taken up at another time.

Test Results Asked

The defense then demanded that it be given the results of a brain wave test that has been made on Ruby. The court revealed that the records are now in the hands. Mr. Wade, who said he would be glad to produce them tomorrow.

"We'll have to take that up in chambers," Judge Brown said.

The trial is in the second week of jury-picking.

Sworn in yesterday was an attractive, dark-haired mother of six children, Mrs. Mildred McCollum. She is a secretary and her husband is a machinist. Since some of her children are under 16 years old, she could have claimed exemption from jury duty.

During questioning by defense lawyers, Mrs. McCollum said she knew this. She was not asked why she chose not to claim the privilege.

The mother, who turned 40 last Saturday, said she had seen a portion of the televised re-run of Ruby's killing of Oswald.

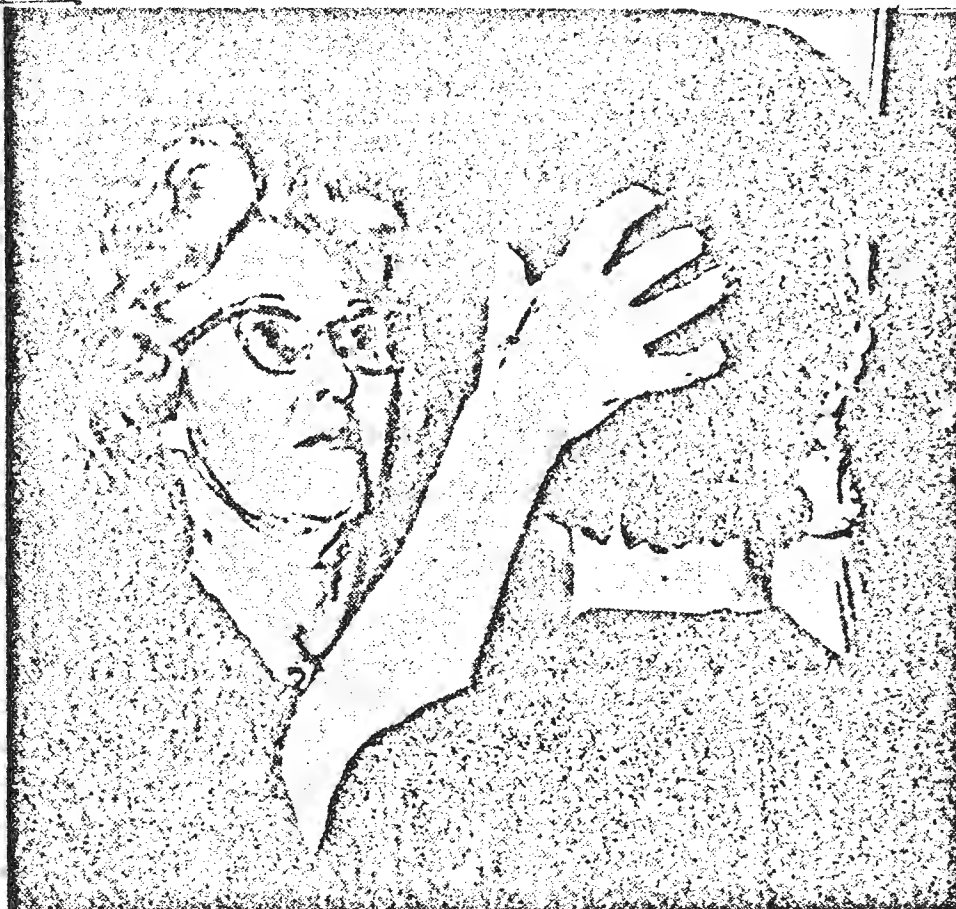
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A woman spectator's bouffant hairdo is searched for possible weapons by Deputy Sheriff Mrs. Fay Ellis at the entrance to the Ruby trial courtroom in Dallas.—AP Wirephoto.

(Mount Clipping in Space Below)

Woman Selected As 3d Ruby Juror

By CARL FREUND

Dist. Atty. Henry Wade scored a triple victory in the Jack Ruby murder trial proceedings Monday.

Wade chalked up one victory with acceptance of Mrs. Mildred McCollum, a Garland secretary who has six children, as the third juror for Ruby's trial on a charge of murdering Lee Harvey Oswald. Her selection supported Wade's contention that the prosecution and defense can get an impartial jury here.

Wade scored again when the State Supreme Court refused to consider a defense plea.

Ruby's lawyer wanted the Supreme Court to rule that Dallas County residents were witnesses, from the legal standpoint, if they saw Ruby shoot Oswald on television. TV cameras were trained on Oswald when Ruby shot the 24-year-old Marxist after he had been accused of assassinating President Kennedy.

If the Supreme Court had granted the defense request, Ruby's lawyers could have forced Judge Joe B. Brown to transfer the trial to another county.

The lawyers said they may go to the federal courts. Wade termed their tactics "frivolous" and predicted the federal courts would also turn them down.

Wade's third victory came when defense lawyers used their eighth and ninth peremptory challenges to reject prospective jurors.

State laws give the prosecution and defense 15 peremptory challenges each in the murder case. There has been speculation, however, that Judge Brown will grant the defense one or two additional challenges.

They allow lawyers to reject

prospective jurors without giving any reason.

Wade has predicted lawyers will complete the jury "fairly rapidly" once the defense uses its peremptory challenges.

Defense lawyers tried vainly to disqualify Hershell C. Martin of 1401 Autumn Leaves Trail, a grocer, and thereby save a challenge.

"If he got on the jury, all he'd have to do is go into the jury room and vote a verdict of guilty and death in the electric chair," attorney Joe Tonahill told Judge Brown.

Despite the defense contention that he had convicted Ruby on the basis of rumors and news reports, Martin insisted he had an open mind on the question of guilt and could make a fair juror. Judge Brown ruled he was qualified, forcing the defense to accept him or use a peremptory challenge.

Wade used his third peremptory challenge as lawyers questioned 13 prospective jurors during the day.

Mrs. McCollum, who lives at 918 Briarwood in Garland, was the first to take the stand. She could have requested an exemption from jury duty in the trial since she has children at home, but said she was willing to serve.

Mrs. McCollum, whose Assembly of God religion bars the use of cosmetics, said she saw "a re-run" of the shooting on television. Her reaction, she said, was "one of shock."

The black-clad brunette said she remembers "the expression of shock and the appearance of pain" on Oswald's face when a bullet pierced his abdomen. But, she said, the television pictures would not affect her verdict.

(Indicate page, name of newspaper, city and state.)

1 "The Dallas
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Dallas, Texas

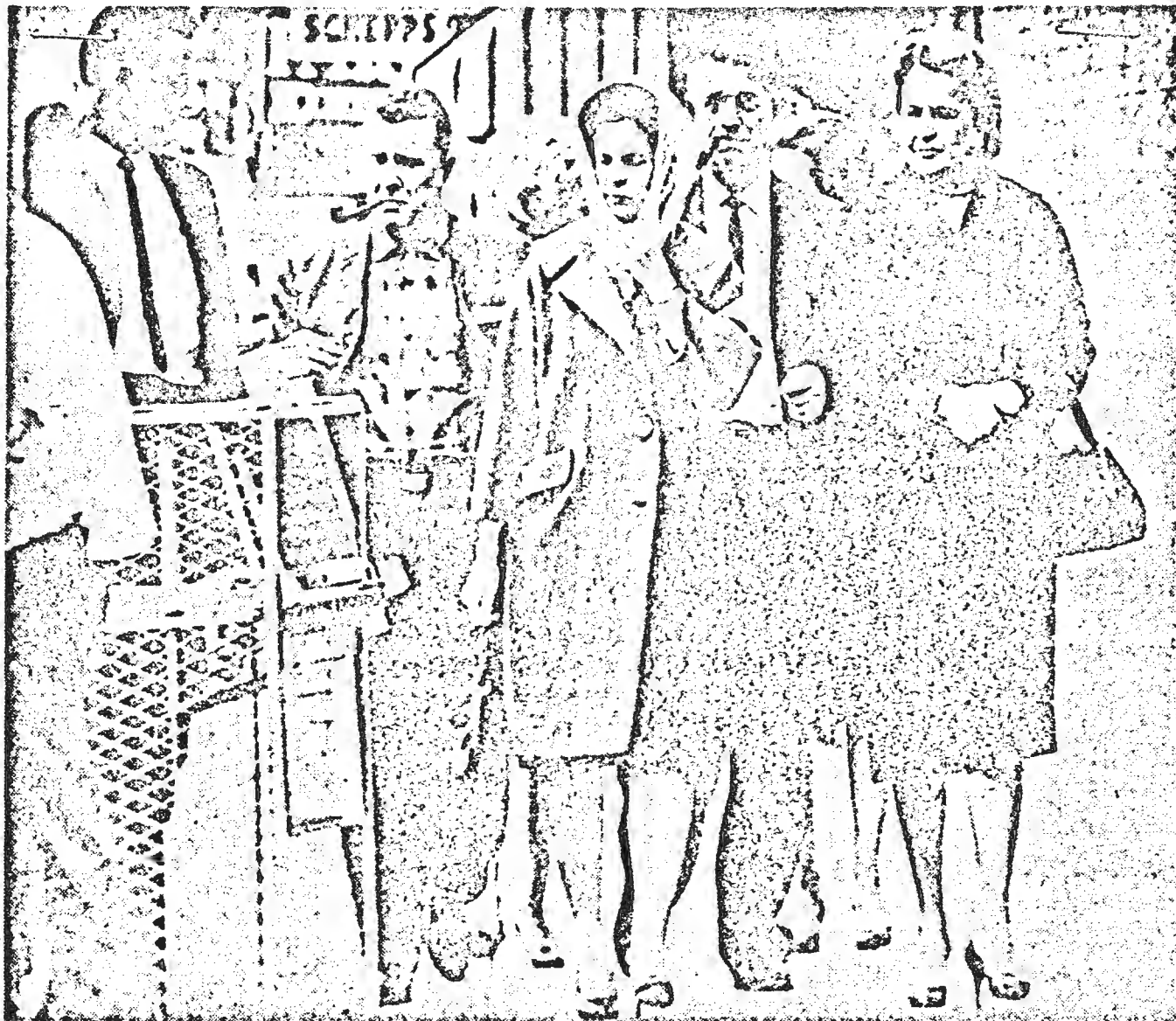
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—Associated Press Wirephoto.

The three jurors selected in the Jack Ruby trial return to court with bailiffs after lunch. Left to

right are Allen McCoy, Max E. Causey, Mrs. Mildred McCollum; bailiffs Bo Mabra and Nell Tyler.

2

Woman Juror Enters Her Little Quarters

A small room on the eighth floor of the county jail became the temporary home Monday of Mrs. Mildred McCollum, the first woman chosen as a juror in the Jack Ruby murder trial.

The room is seven feet wide and seven feet long.

It is identical with those used by men chosen for the jury.

Each has a bed, wash basin and toilet. There is a reading lamp above the bed.

The windowless rooms are air conditioned. Each opens onto a corridor, which has at least one shower stall at each end.

Movable partitions along the corridor allow Sheriff Bill Decker and his deputies to divide the jury dormitory into separate sections for men and women.

"If we have only two women jurors, we close off the corridor near the end," Sheriff Decker

pointed out. "If we have six men and six women, we can seal it off near the middle."

If Mrs. McCollum needs to send a message to her husband, Bailiff Nell Tyler will relay it.

Rules do not allow jurors to talk directly with their families.

The dormitory is sealed off from the rest of the jail so that guards and trustees are unable to contact jurors.

The dormitory includes a day room.

When not in court, jurors may play dominos or cards. They may also read newspapers and magazines — provided they do not contain articles about Ruby or his trial.

There are no radios or television sets in the dormitory. Jurors might hear newscasts about the trial.

RUBY CASE

Tonahill Finds All Like Dogs

Everybody likes dogs. Well, just about everybody.

A defense lawyer, prosecutors, a prospective juror and Judge Joe B. Brown agreed on that point during selection of a jury for the Jack Ruby murder trial Monday.

It all started when defense lawyer Joe Tonahill asked the prospective juror, Hershal C. Martin of 1461 Autumn Leaves, "Do you like dogs?"

Dist. Atty. Henry Wade and his chief assistant, A. D. Jim Bowie, shouted objections.

"What could that possibly have to do with whether Jack Ruby is guilty of murder?" Bowie asked.

Meanwhile, Martin answered Tonahill's question, saying, "I like dogs."

"I do, too, and so does Jack Ruby," Tonahill observed as prosecutors shouted new objections.

Then, to keep the record straight, Wade told reporters during a recess, "We like dogs, too. We love 'em."

And Judge Brown chimed in, "I'm fond of dogs. I always have been."

★ HERE'S COUNT ON JURORS

This was the box score when Judge Joe B. Brown recessed the Jack Ruby murder trial Monday:

Jurors accepted	3
Rejected by defense	9
Rejected by prosecution ..	3
Disqualified	45
Excused for illness	1

3

High Court Declines to Bar TV Viewers as Ruby Jurors

By RICHARD M. MOREHEAD for leave to file is denied."

Austin Bureau of The News
AUSTIN, Texas — The State Supreme Court rejected Monday a contention that everybody who saw the shooting of Lee Harvey Oswald on television should be barred as jurors in the Jack Ruby case.

That was the effect of the court's denial of a motion by Ruby's attorneys for "leave to file" a mandamus suit, seeking to force Judge Joe B. Brown to issue subpoenas to require A. C. Connally and Max E. Causey to appear as witnesses in the Ruby case.

Both men saw Oswald shot on television, but were called to serve on the panel of prospective jurors. Ruby's attorneys attempted to have them subpoenaed as witnesses in the case. As such they would have been ineligible for jury service. Judge Brown refused to issue the subpoenas. Causey has been selected as a juror, and Connally was rejected on a peremptory challenge by the defense.

EACH SIDE normally gets only 15 such challenges. The petition which attorneys Melvin Belli, Joe E. Tonahill and Phil Burleson tried to file referred to this as a choice between "wasting" a challenge or being forced to accept as a juror one who was "a desired witness."

William VanDercreek, Southern Methodist University law teacher, brought the papers to Austin and appeared briefly before the 9-member Supreme Court in a session from which the press was barred.

Also present were Asst. Dist. Attys. James M. Williamson and Coy M. Turlington, and Leon Douglas, state prosecutor in the Court of Criminal Appeals. After a few minutes, the lawyers were sent from the judicial chamber. The court deliberated about five minutes before Chief Justice Robert W. Calvert instructed Chief Clerk George Templin: "motion

VANDERCREEK told about a dozen reporters who waited in the clerk's office that he had "no comment" on what the next move would be. The attorney said definitely there would be no effort to get a mandamus order from the Court of Criminal Appeals. An appeal might be taken to the U. S. Supreme Court, said VanDercreek, or "we might hold off and preserve the point" to seek a reversal if Ruby should be convicted.

VanDercreek's name did not appear on the documents which he brought to the court. He described himself as "of counsel," which means to assist other lawyers.

IN DALLAS, prosecutors said later that the Supreme Court "did just what we expected."

First Assistant Dist. Atty. A. D. Jim Bowie commented:

"We knew defense lawyers wouldn't get to first base. They went to the wrong court. And they were premature."

Bowie pointed out the Court of Criminal Appeals — not the Supreme Court — handles criminal matters.

"But, even if they had gone to the Court of Criminal Appeals," Bowie said, "I don't think it would have considered their plea. The proper procedure is to wait until a trial has ended and then go to the Court of Criminal Appeals if the defendant is convicted."

(Mount Clipping in Space Below)

Jury Hunt To Resume For Ruby

By HUGH AYNESWORTH

The tedious task of selecting 10 more jurors for the Jack Ruby murder trial will resume at 9 a.m. Monday with principal characters in disagreement on the possibility of getting an impartial jury.

At the end of the first week's proceedings, two college-trained men, 35-year-old Max Causey of Garland and 40-year-old Allen McCoy of Irving, were the only jurors acceptable to the court, the defense and the prosecution.

Defense attorneys, who have a continuing motion for change of venue, claim last week's action (2 accepted out of 48 called) proved that an impartial jury cannot be gleaned in Dallas County.

"You can tell after about five days," said Melvin Belli, who heads Ruby's battery of lawyers, "and we know for sure now that no fair jury can be found here. There's just too much civic pride among the citizens."

Dist. Atty. Henry Wade, head of the prosecution forces, laughed at this.

"That 'two' is misleading," he said. "Actually there were 11 who were qualified of the 48." He was referring to the fact that nine

peremptory challenges were issued last week, two by the state and seven by Belli's side.

Judge Joe B. Brown, hearing the case, makes no bones about the fact he would like jury selection to go faster. In mid-week he accused the defense of "not particularly trying to get a jury."

J. H. Tonahill, Belli's defense aide from Jasper, said he is planning to file a writ with the Texas Supreme Court Monday to halt Judge Brown from seating any juror who witnessed on television the Nov. 24 shooting of Lee Harvey Oswald by Ruby.

County Treasurer Warren Harding said Sunday that jury fees already have cost Dallas County \$3,265—at \$5 a day and \$1 a meal for the several hundred prospective veniremen.

If the trial is moved out of Dallas, this county still will have to pick up the entire financial tab, Harding said.

He estimated it would cost more than \$50,000 to try the controversial case in Dallas, but about double that in another location.

The jury selection is the third big round of the preliminaries.

First round was the appeal for Ruby's release on bond, won by the state. Second round was the change of venue, which was tabbed a prosecution victory despite the fact it is still pending, because the trial has not yet been moved.

Round 4 will be the trial itself, and Round 5, the appeal to appellate court—a certainty if the defendant loses.

(Indicate page, name of newspaper, city and state.)

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M'NAGHTEN VERSUS DURHAM RULE

Did Ruby Know Right From Wrong?

By JOHN TROAN

Scripps-Howard Science Writer

The murder trial of Jack Ruby draws attention, once again, to an age-old clash of law and medicine.

The clash revolves about legal definitions of insanity.

Ruby's lawyers hope to win his acquittal on grounds he was insane when he gunned down President Kennedy's alleged assassin, Lee Oswald, in Dallas, Nov. 2.

In Texas, as in most other states, there is no law defining insanity when this is offered as a defense plea in a criminal case.

RIGHT-WRONG

But there, as in most other parts of the U.S., the courts rely chiefly on the so-called M'Naghten rule. This also is known as the "right-and-wrong test."

The principle was established in England in 1843—when Daniel M'Naghten, who suffered from a persecution complex that gave rise to "morbid delusions," was acquitted of murder on grounds of insanity.

In setting this legal landmark, the judge and jury rules a person couldn't be held responsible for a crime committed while he wasn't able to understand "that he was doing a wrong or wicked act."

UPROAR

The acquittal triggered such an uproar in England that the British House of Lords asked a panel of judges to clarify the laws governing criminal insanity.

The judges declared:

To establish a defense on the ground of insanity, it must be clearly proved that, at the time of the committing of the act, the party accused was laboring under such a defect of reason, from disease of the mind, as not to know the nature and quality of the act he was doing, or if he did know it, that he did not know that he was doing what was wrong."

UP TO JURY

In short, a man is to be acquitted on grounds of insanity if a jury is convinced that when he committed the crime his mind was so sick:

- He didn't know what he was doing; or,
- He didn't realize it was wrong.

Under Texas law, the jury trying Ruby will have to decide whether he was sane or insane when he shot Oswald — and whether he is sane or insane now.

If it should find he was insane at the time of the shooting, he would be acquitted.

UNDER FIRE

Over the years, the M'Naghten rule has come in for growing criticism from psychiatrists.

Many, if not most, of these mind specialists agree with Dr. Winfred Overholser, the well-known ex-superintendent of St. Elizabeths Hospital here, that the M'Naghten rule is "completely out of step with psychiatric knowledge."

As Dr. Overholser has put it: "Many patients in mental hospitals who by any practical test would be considered 'insane' have at least a glimmering, and

sometimes a strong sense, of what is right or wrong."

DURHAM RULE

He and many other psychiatrists prefer the so-called Durham Rule, propounded by a U. S. Court of Appeals here in 1954.

This holds that a person "is not criminally responsible if his unlawful act was the product of mental disease or mental defect."

Actually, New Hampshire has adhered to such a rule since 1870, when a judge there asserted: "What is a diseased condition of mind is to be settled by science and not by law."

He insisted the law couldn't define a disease of the mind any more than it could a "disease of the lungs or liver."

But only one other state, Maine, has adopted the Durham Rule since it was proclaimed in the District 10 years ago.

Belmont _____
Mohr _____
Casper _____
Callahan _____
Conrad _____
DeLoach _____
Evans _____
Gale _____
Rosen _____
Sullivan _____
Tavel _____
Trotter _____
Tele Room _____
Holmes _____
Gandy _____

The Washington Post and Times Herald _____
The Washington Daily News _____
The Evening Star _____
New York Herald Tribune _____
New York Journal-American _____
New York Mirror _____
New York Daily News _____
New York Post _____
The New York Times _____
The Worker _____
The New Leader _____
The Wall Street Journal _____
The National Observer _____
People's World _____
Date _____

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MAR 11 1964

Ruby Tells Kilgallen:

'Breaking Point' Near

By DOROTHY KILGALLEN

DALLAS, Feb. 22.—Jack Ruby's eyes were as shiny brown-and-white bright as the glass eyes of a doll. He tried to smile but his smile was a failure. When we shook hands, his hand trembled in mine ever so slightly, like the heartbeat of a bird.

"I'm nervous and worried," he told me. "I feel I'm on the verge of something I don't understand—the breaking point, maybe."

It is an embarrassing experience to talk to a man on trial for his life. I tried to find cheerful words. I said:

"I thought you were holding up pretty well."

He shook his head ruefully.

"I'm fooling you, Dorothy," he said. "I'm really scared."

The scene was the sunlit courtroom of his trial for the murder of Lee Harvey Oswald, alleged assassin of President Kennedy. The trial was in recess.

I had stayed behind because I had been told that Ruby would like to talk to me.

In a short while co-counsel Joe Tonahill beckoned to me, and I went up to the defense table.

"Jack would like to say hello to you," he said.

Jack rose politely to shake hands, his eyes glistening and his mouth smiling but the total effect inexpressibly sad.

"It's wonderful to see you, Dorothy," were his first words.

"How do you think you'll make out at the end of the trial?" I asked.

"I just don't know," Ruby said helplessly. His voice was almost inaudible. He let go of my hand and shrugged. "I try to hope for the best. I'd like to get a chance to go to a hospital and maybe get well. I'd like to be well enough some day to help people, to do something really worthwhile."

"Like what?" I asked.

"Anything but what I was doing—before this all happened," he said. "Maybe I could help bring people to God. I know now that I didn't make much of my life, but I've had a lot of time to think—when I could think—and I don't want to go back to what I was. I want to be something better, do you know what I mean, Dorothy?"

I nodded. It was hard to see how he could fall to be

better than the Jack Ruby of the strip clubs, the boozy night life of Dallas. He has nowhere to go but up. If he lives.

Was he aware that almost certainly the prosecution, or perhaps his own defense, would seek to establish that he was a homosexual? I wanted to know.

"Yes, I'm ready for that," he said. "It's not true, but I expect it to come up; actually, I like girls. But I'm a bachelor, and they're going to wonder about that, and I've made some remarks that were just jokes to me, but might strike some people as sounding odd, like when I referred to one of my dachshunds as 'my wife.'"

I suggested that I had better go and let the lawyers confer.

Ruby clasped my hand again.

"I'm grateful to you for coming up to see me, Dorothy," he said.

He tried for another smile and almost made it.

"God bless you," he said.

"I said, 'Thank you, Jack,' and left the courtroom and went out into the almost empty lunchtime corridor wondering what I really believed about this man.

The Washington Post and Times Herald _____
The Washington Daily News _____
The Evening Star _____
New York Herald Tribune _____
New York Journal-American 15L
New York Mirror _____
New York Daily News _____
New York Post _____
The New York Times _____
The Worker _____
The New Leader _____
The Wall Street Journal _____
The National Observer _____
People's World _____
Date _____

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FEB 23 1964

COURT DISMISSES 9 FOR RUBY JURY

Defense Gets Through Day
Without Using Challenges

By HOMER BIGART

Special to The New York Times

DALLAS, Feb. 22—Judge Joe B. Brown delighted Jack L. Ruby's attorneys today by dismissing as prejudiced a prospective juror who looked as sternly righteous as a caricature of a Bible Belt fundamentalist.

The judge's action was a blow to the prosecution. It enabled the defense to get through an

maintaining eight arbitrary challenges.

All the other eight prospective jurors examined this morning were also excused by the court, six because they opposed capital punishment and two because they had formed a fixed opinion of the case.

Thus, after six tiresome days of processing, only two jurors have been accepted out of 48. They are Max E. Causey, 35 years old, an electronics analyst, who was sworn in Thursday, and Allen W. McCoy, 39, an industrial engineer, who was accepted yesterday.

10 More Jurors Needed

Ten more jurors remain to be chosen before Judge Brown can start the trial of Ruby, a 52-year-old Dallas night-club operator indicted for "murder with malice" in the slaying of Lee H. Oswald, the accused assassin of President Kennedy.

"It was a bad morning" said District Attorney Henry Wade after Judge Brown recessed the proceedings until Monday morning. Mr. Wade said he thought it would take about 10 more days to complete the jury.

The chief target of the defense today was M. C. David, an elderly carpenter with a thin, sallow face and a tightly pinched mouth. Mr. David said he was a Baptist who spent so much time on church work that he could not read anything but the Sunday paper.

Mr. David aroused defense suspicions by seeming too eager to qualify. In his prompt answers to prosecution questions, Mr. David used such expressions as "beyond reasonable doubt" and "according to the evidence of the case" in contending that he could render a fair verdict.

The defense handled him roughly. An assistant defense counsel, Joe H. Tonahill, said with sarcasm:

"You know more about the law than I did when I entered law school. Where did you come by your knowledge of the law, 'innocent until proven guilty' and all that sort of thing?"

'Heard My Daddy'

Mr. David replied, "I thought it had been our way of life for a long time. I heard my daddy talk about it."

"With your preconceived knowledge of the law," Mr. Tonahill continued, "what do you think your verdict would be if we proved the defendant to be insane?"

"If it's a proven fact that he's insane that should be taken into consideration," Mr. David said.

"I have an opinion as to the guilt or innocence of the defendant which you could not put aside?"

"I do not have any opinion whatever," Mr. David said.

"Do you have an opinion that Ruby shot Oswald?" Mr. Tonahill asked. The witness had earlier said he had seen a television rerun of the shooting.

"No, sir," replied Mr. David. "May I elaborate? There were so many people around I couldn't even identify the man who shot him."

"Do you have an opinion that Oswald is dead now?" Mr. Tonahill continued.

"They'd have to prove in evidence," the venireman answered.

"Do you have any consideration that Oswald is not dead and is working for the F.B.I.?"

The spectators laughed. The prosecution objected to the question and Judge Brown sustained the objection.

Views on Drinking Sought

The defense tried to determine whether Mr. David thought a man who committed murder while in a state of drunkenness should be punished as severely as a sober man.

"I suppose if a man was so drunk he didn't know what he was doing, there should be some leniency there," the carpenter replied. "I'd be lenient with anyone who didn't know right from wrong."

When the prosecution objected to further questioning along this line, Mr. Tonahill told the court:

"I want to put him off guard, judge. I want to draw information as surreptitiously as possible to see what lurks in his mind."

Judge Brown upheld the prosecution objection.

Mr. Bell was on his feet.

"Obviously," he declared, "this man has a rapprochement with the District Attorney's staff and they want him badly."

"If we take a jury made up of people like this man here, we might as well start our appeal in the Supreme Court," Mr. Bell said. "This man doesn't reckon Oswald is dead. I question this man's credulity and honesty. As a Christian gentleman this man ought to disqualify himself."

He said he would ask Mr. David to submit to a lie-detector test, but Judge Brown said he would not permit one to be taken by any prospective juror.

The judge then surprised the District Attorney by excusing Mr. David.

The defense was jubilant. Mr. Bell said the court's rejection of the juror meant that a biased jury could not be found in Dallas.

There are still 102 veniremen to be examined in the first panel of 150.

Belmont ☒
Mohr ☒
Casper ☐
Callahan ☐
Conrad ☒
DeLoach ☒
Evans ☒
Gale ☒
Rosen ☒
Sullivan ☒
Tavel ☐
Trotter ☐
Tele Room ☐
Holmes ☐
Gandy ☐

The Washington Post and Times Herald _____
The Washington Daily News _____
The Evening Star _____
New York Herald Tribune _____
New York Journal-American _____
New York Mirror _____
New York Daily News _____
New York Post _____
The New York Times 4-31 _____
The Worker _____
The New Leader _____
The Wall Street Journal _____
The National Observer _____
People's World _____
Date _____

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59 MAR 4 1964

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9-QUIZZED

No Juror Picked on 6th Day

By HUGH AYNESWORTH

Defense attorney Melvin Belli virtually accused a potential juror of not telling the truth Saturday as the sixth day of jury selection failed to produce another juror for the Jack Ruby murder trial.

Judge Joe B. Brown recessed the proceedings at 11:55 a.m. until 9 a.m. Monday.

Nine prospective jurors were questioned in the 2½-hour session, and all were excused by the court.

Belli's outburst was against Marion C. David, a carpenter who lives at 1369 Cheyenne.

David said he saw a rerun of the television coverage of the slay-

ing of Lee Harvey Oswald last Nov. 24 but had no opinion as to who did the shooting.

He said the TV coverage was nothing more than "a bunch of people moving around . . . I couldn't tell what actually happened."

"I know of no reason in my mind why I couldn't give him a fair trial and be an impartial juror," David said.

The carpenter faced a volley of questions fired by Belli and defense attorney Joe Toca.

David answered all without hesitation. He said he didn't know for sure that Oswald was even dead, let alone that Ruby did it.

"If we have to accept this juror, we might as well start this trial in the Supreme Court," Belli shouted.

"This is a good time," he went on, waving his arms and shouting, "to get the polygraph (lie detector) in here."

Brown halted another Belli tirade by simply saying, "Mr. Belli, the court is going to excuse the juror."

Five veniremen said they were opposed to the death penalty. They are Lee Oscar Elder, 4219 Bertrand; John A. House, 10162 Estacado; Mrs. Novlyn T. Ohlson, 8928 Hackney; Mrs. Josephine R. Lee, 3314 Crestridge; and Mrs. Joy Parker, 11506 Coral Hills.

Three others were dropped for having varying degrees of fixed opinions about the case. They are A. C. Phillips, 2804 Southwood; A. B. Garza, 7107 Fillmore, and Lena Cook, 1721 Evergreen.

(Indicate page, name of newspaper, city and state.)

1 "The Dallas
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County Must Function As Ruby Trial Goes On

By DON MILLSAP

Despite the frenzy prevailing on the second floor of Dallas County's Criminal Courts Building last week, it was business as usual for most courts and offices in the downtown courthouse complex. And the same can be expected this week.

Most of the inconvenience to employes and visitors has come from the crowds of reporters and photographers filling the hallway outside the courtroom where defense attorneys and prosecutors are attempting to select a jury to hear the murder trial of Jack Ruby.

Records are filed, marriage licenses issued and other matters attended to in County Clerk Glenn Byrd's second-floor offices in the Records Building, adjacent to the courts building.

AUTO LICENSES are sold and voters registered for federal elections in Tax Assessor-Collector Ben Gentle's first-floor office. County Commissioners approve

purchases, hospital district reports, and hire personnel during their regular biweekly meetings on the fourth floor.

Probate Court Judge F. W. Bartlett Jr. occupies the commissioners' courtroom between the meetings.

Hearings were moved here Monday when his second-floor courtroom was taken over as a press-room by the scores of newsmen who converged on the city to cover the Ruby trial.

INSTEAD OF the normal peace and dignity which prevails in Judge Bartlett's court, numerous telephones and wire machines add

rounding the trial. their noises to the confusion surrounding the trial. Judge J. Frank Wilson, displaced from his Criminal District Court to give Judge Brown more room to admit reporters and spectators, has taken a short breather from normal activity.

Prosecutors Walt Bondies and John Vance—who work in Judge Wilson's court—welcomed the interim to catch up on office work which has piled up during their courtroom appearances.

But they expect to move into Judge Brown's courtroom—in exchange for their own—next week, after visiting Judge R. C. Vaughn from Sherman completes a civil damage suit he is hearing there.

OTHER COURTS in the build-

ings—from the second to the fifth floors — are involved in other trials. Criminal courts are hearing cases involving robbery, rape and burglary. Civil courts have injunctions, damage suits and the like.

Justices of the Fifth Court of Civil Appeals read transcripts of cases appealed to them, discuss upholding or reversing the lower courts, and write their opinions to be handed down Fridays.

In their 6th floor courtroom, almost 100 prospective jurors while away the hours until they are called to be questioned under the hammering attack of Ruby's defense attorneys and prosecutors from the district attorney's office.

New cases for the courts are filed in the district attorney's office and in Dist. Clerk Bill Shaw's office on the ground floor.

WHILE EMPLOYES are performing their tasks in the usual manner, however, many keep a lookout for anyone who might have been at the Ruby trial.

"What's happening in there? Have they gotten any jurors yet?" they ask expectantly.

On their lunch and coffee breaks, many make it a point to go by the courtroom, hoping for additional news of the proceedings and perhaps a glimpse of Ruby, who remains under heavy guard both in the courtroom and en route from and to the jail.

Belli, Wade Divided On Progress Made

Defense attorneys and prosecutors continued to disagree after Saturday morning's special session in Judge Joe B. Brown's Criminal District Court, where they are trying to get a jury for the Jack Ruby murder trial.

Chief defense counsel Melvin Belli reported he was pleased with the progress shown during the week-long examination of prospective jurors to sit in judgment of Ruby, who is charged with killing Lee Harvey Oswald, accused presidential assassin.

"I'm satisfied we are making progress proving that it is impossible to get a fair and impartial jury in Dallas," he told reporters.

Dist. Atty. Henry Wade, however, had just the opposite view.

"I don't think we moved as fast as I had hoped," he said. "We only qualified four jurors this week where I had expected 15 or 20."

Wade referred to Max Causey of Garland and Allen W. McCoy of Irving, who had been accepted for service on the jury, and to two jurors dismissed on the peremptory challenges of the district attorney's office.

Seven other jurors were struck by the defense, leaving Belli only eight of the original 15 challenges given each side by Judge Brown. Belli has requested additional challenges, but Judge Brown has not yet ruled on the request.

A total of 48 prospective jurors has been examined from the approximately 125 veniremen called. Of these, 20 — including five Saturday — were excused because they have scruples about assessing the death penalty. Seventeen, including four Saturday, were excused because they said they held preconceived opinions about the case.

Asked if he were pleased with the case's progress, Judge Brown replied: "I am neither pleased nor displeased, happy nor unhappy. I have no feelings one way or the other."

Belli told reporters he expected the resumption of jury selection next week to bring "five more days of the same thing."

Wade was more optimistic. "I believe it (the jury selection) will move faster next week and that we will have more jurors qualified," he said.

He said it is not unusual to have to question as many as 200 veniremen before selecting 12 jurors in highly publicized cases.

"If those on this panel are not sufficient to get 12 impartial jurors," he said, "we'll have to call more."

But he explained that additional veniremen will not come from those who have waited in the central jury room.

These, he said, have been sent home and others will be called.

"We call new jurors each week, and it's normal procedure that if additional jurors are needed they are chosen from that week's panel." —DON MILLSAP.

3

FEWER REPORTERS ON HAND

More Spectators Show Up For Ruby Jury Selection

By DON MILLSAP

Interest in jury selection for the murder trial of Jack Ruby apparently is on the increase, judging from the number of people in attendance in Judge Joe B. Brown's Criminal District Court Saturday.

But after a week of questioning prospective jurors — with only two qualified and accepted by both the defense and the district attorney's office—reporters covering the trial are becoming fewer.

"We've only had one day that every seat allocated to reporters was filled," said Sheriff Bill

Decker. "That was Monday, the first day. Since then there have been more and more vacant seats as the week went by."

More than 350 reporters and photographers from over the world converged on the city as the trial opened, each clamoring for space in the courtroom which seats slightly less than 200.

More than half of the seats—125 of them—were given reporters and artists, with the remaining seats allocated for spectators.

As more and more seats in the press section (the first rows of seats) remained unoccupied,

sheriff's deputies began allowing more of the waiting crowd in to watch as attorneys questioned prospective jurors. Those accepted will judge Ruby, charged with slaying accused presidential assassin Lee Harvey Oswald.

Saturday morning, the number of reporters dwindled to about 65.

But with more persons off work on the weekend, an estimated 85 to 90 spectators were granted admittance.

The first of these arrived at the County Criminal Courts Building at 6 a.m. to stand waiting outside the door of the second floor courtroom. By 7 a.m. the line of curious citizens extended down the stairs almost to the outside door of the building.

Dist. Atty. Henry Wade termed the crowd one of the largest he has ever seen fill a courtroom during jury selection.

"About the only time you get a crowd of spectators that big is during the last couple of days of jury selection on a highly publicized trial — when only one or two jurors remain to fill the panel," he said.

LIST SHOWS DISPOSITION OF RUBY JURY PROSPECTS

Here is the disposition of prospective jurors in the Jack Ruby murder trial through the 48th questioned at the end of court Saturday:

Accepted	2
Defense challenged	7
State challenged	2
Against death penalty	20
Hold opinions in case	15
Against suspended sentence	1
Illness	1

4

Belli Complains of Inability To Get at 'Guts of the Case'

Heated verbal repartee between defense and prosecuting attorneys flared Saturday as they continued their attempts to select a jury for the Jack Ruby murder trial.

"We are not picking a jury, any more. We're having a jury forced down our throats," proclaimed Melvin Belli, chief defense counsel, when Judge Joe B. Brown stopped him from inquiring into the opinion of a prospective juror.

Belli said questions were allowed by the judge on other subjects, "but when we get down to the guts of the case, we are not allowed to ask any questions."

"Mr. Belli, you may ask any questions not proscribed by law.

Otherwise, no," snapped Judge Brown.

The byplay came during the examination of A. C. Phillips of 2804 Southwood, a lumber company employe, who testified he had seen the shooting of Lee Harvey Oswald on television.

In answer to questions by Judge Brown, Phillips acknowledged he had formed an opinion in the case, but he was not allowed to say what the opinion was.

Belli termed that the "most bitter, emphatic proof" since the trial began that prospective jurors in Dallas County are prejudiced. He renewed his efforts to have Judge Brown transfer the case from Dallas.

"Dallas need not be vindicated. Why do you keep doing this to us, your honor?" he asked when his request was denied.

Chief Assistant Dist. Atty. Jim Bowie jumped to his feet objecting to Belli's statement.

"He has no right to question the court," Bowie said. "It took your honor only two legal questions to determine what he wanted to know."

Phillips was excused by Judge Brown because of his opinion.



—Dallas News Staff Photo by Jack Beers.

WEEKEND RESPITE

"Just checkin' in with the wife," said Joe Tonahill, Jack Ruby's huge defense lawyer, as he slipped into the judge's chambers to use the telephone.

"She wants to go shopping and I'd rather go fishin'." Mrs. Tonahill, from Jasper in East Texas, later Saturday joined her husband in Dallas.

Ruby Tense During Jury Selections

Jack Ruby, on trial for killing Lee Harvey Oswald before a nationwide television audience Nov. 24, has appeared tense and somber during the first week of jury selection.

Only occasionally has the straight-faced facade been disturbed, and then only momentarily.

Only one brief smile appeared on his face Saturday. It came during the questioning of prospective juror Marion C. David.

Defense attorney Joe Tonahill, delving into David's legal knowledge, quipped: "You seem to know more law than I did when I went to law school."

"I don't know anything about it," retorted David, bringing laughter from spectators and reporters and a brief smile to Ruby's face.

Then he returned to his routine of clasping his hands in front of him, conferring with his attorneys, and leaning forward,

straining to hear a juror's answer to a question.

But he did not read sections of law books which are piled on the table in front of him as he

had done earlier in the week.

Several times during heated arguments between attorneys, Ruby vigorously chewed, faster and faster as legal points were debated.

His eyes would dart from the juror being questioned to attorneys for both sides to Judge Brown.

Asked about Ruby's physical and mental condition after Saturday morning's court session, Melvin Belli, chief defense counsel replied: "He's becoming more tense as the days go by, but generally he's holding up well."

Faced with the prospect of still another long weekend in the county jail, Ruby has asked permission to watch television, Belli said.

"He particularly wants TV tonight (Saturday night) so he can watch the Saturday night fights," Belli reported.

"But I don't know whether this can be arranged or not."

6

(Mount Clipping in Space Below)

2d Juror Accepted In Stormy Session

by CARL FREUND

A stormy session of the Jack Ruby murder trial produced a second juror Friday.

He is Allen W. McCoy, a 40-year-old Irving industrial engineer.

McCoy was the 36th prospective juror questioned by lawyers since Ruby's murder trial began Monday.

Attorneys questioned McCoy and eight other prospective jurors during a day marked by temper outbursts, a contempt warning and torrid verbal exchanges.

After Judge Joe B. Brown swore McCoy as a juror, Bailiff W. W. Mabra escorted him to an isolated dormitory. There he joined Max E. Causey of Garland, who was chosen Thursday as the first juror.

Both are college graduates.

McCoy, who lives at 1518 Belmead with his wife and two daughters, said he could assess the death penalty if he thought evidence showed it justified.

Dist. Atty. Henry Wade contends Ruby should die in the electric chair because he shot Lee Harvey Oswald while millions watched on television Nov. 24.

Defense lawyers say Ruby was temporarily insane when he shot the handcuffed Marxist.

The defense, headed by Melvin Belli of San Francisco, ac-

cepted McCoy although he said he had seen a "rerun" of the shooting on television.

Defense lawyers used their sixth and seventh peremptory challenges during the argument.

Wade asked the jury to reject Bill Bohannon of 3555 Northaven and Herbert Goellner of 5114 W. Amherst as jurors. The defense has now used almost half its 15 peremptory challenges, which allow rejection of prospective jurors without stating any reason.

Wade used the prosecution's second peremptory challenge to reject James C. Bland of 3335 Leahy.

Judge Brown threatened to fine Joe Tonahill for contempt after the 240-pound defense lawyer repeated a question which the judge had termed improper.

Judge Brown ordered a Saturday morning session in hopes of getting a third juror.

(Indicate page, name of newspaper, city and state.)

1
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Edition:
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—Dallas News Staff Photo.

STILL TIME FOR LAUGHS

Judge Joe B. Brown, right, presiding over the Jack Ruby murder trial, chuckles at remark by Sheriff Bill Decker, who is responsible for courtroom security, during a Friday recess in tense trial.



—Dallas News Staff Photo.

BELLI AND SON

Melvin Belli, the chief defense lawyer, and his 6-year-old son, Caesar, walk hand in hand down a corridor outside the courtroom where Jack Ruby is standing trial on a murder charge.

2

SIDELIGHTS

Ruby Reads Law Books At Trial

Courtroom jottings from the Jack Ruby murder trial:

Ruby donned horn-rimmed glasses and read a law book while his attorneys questioned prospective jurors. As he read, he scribbled notes which he handed to the lawyers. An overhead light reflected from his bald dome.

Artists filled the jury box. Judge Joe B. Brown allowed them to sit there so they could sketch courtroom scenes from a different angle.

Judge John Mead of Criminal District Court No. 4 took a "busman's holiday" and joined spectators in the courtroom.

Dist. Atty. Henry Wade, who puffed on a cigarette as the trial started, has gone back to his habit of chewing cigars in the courtroom.

The wife and 6-year-old son of Melvin Belli, chief defense lawyer, flew here from San Francisco. When the boy began fretting in the courtroom, Belli signaled for his wife to take him outside.

Lawyers can tell when they're getting on dangerous ground with Judge Brown. The judge sets his jaw and peers at them through narrowed eyes.

ONLY 12 SELECTED

Laws Fail to Provide For 'Standby' Juror

Texas laws do not provide for a 13th or "standby" juror, a prosecutor in the Jack Ruby murder trial noted Friday.

Assistant Dist. Atty. Frank Watts said laws here provide for the selection of only 12 jurors in a murder trial, regardless of how long it may last.

If one of these jurors should become too ill to continue hearing testimony, Watts said, the judge must end the trial. Then he would set a new trial date and lawyers would start over in the selection of a jury.

The same would hold true if a juror became ill during deliberations after testimony ended.

What would happen if a juror became ill before the jury was completed?

"It would be up to the lawyers," Watts said. "If they agreed, the court could excuse the sick juror and let the attorneys continue selecting jurors until they had 12. But, if either side objected, the court would have to declare a mistrial and we would have to start over."

There have been numerous proposals that Texas adopt the procedure followed in some states and in federal courts, where the judge instructs lawyers to choose a 13th juror when a lengthy trial appears likely. This juror is known as a "standby" or alternate juror.

He hears testimony and legal arguments, but does not participate in deliberations or vote on the verdict unless one of the 12 regular jurors becomes ill.



—Dallas News Staff Photo by Jack Beers.

JUROR'S FAMILY

Mrs. Allen W. McCoy, wife of the second juror to be chosen in the Jack Ruby trial, and children Geri, 8, ~~left~~, and Kathy, 6, show confident

smiles after McCoy, an engineer, was selected. The McCoy's live in Irving. She says he is serious, analytical.

SPECULATION

Challenges May Act as 'Insurance'

Lawyers speculated Friday that Judge Joe B. Brown will grant additional peremptory challenges to defense lawyers in the Jack Ruby murder trial as "insurance."

State laws provide that the prosecution and defense each shall have 15 peremptory challenges in a murder trial. They allow lawyers to reject otherwise-qualified prospective jurors without giving a reason.

Dist. Atty. Henry Wade said that, while there is no specific provision in the law, judges sometimes grant additional challenges to the defense. They cannot give more than 15 to the prosecution.

By granting several additional challenges to the defense, lawyers noted, Judge Brown could go a long way toward "curing" any technical error he may have committed.

One lawyer put it this way:

"It is often a close question whether a prospective juror is qualified. Judge Brown may think that he is and the Court of Criminal Appeals may think that he isn't.

"But, if Judge Brown grants additional challenges, the appeals court can conclude that his ruling on this prospective juror did not harm the defense.

"The granting of additional challenges represents 'insurance' against the appeals court ordering a new trial if Ruby is convicted."

Ruby's lawyers have used seven peremptory challenges to reject prospective jurors.

★ RED LABEL IMPROPER

Joe Tonahill, a defense lawyer from Southeast Texas, referred to Lee Harvey Oswald as "that Communist, Oswald, who murdered President Kennedy" during the Jack Ruby murder trial Friday.

First Assistant Dist. Atty. A. D. Jim Bowie jumped to his feet with an objection. Judge Joe B. Brown agreed with Bowie that the reference was improper.

Then, in a voice dripping with sarcasm, Tonahill referred to Oswald as "that lily of the valley, Oswald, who . . ."

Judge Brown stopped Tonahill and suggested he forget about descriptive phrases.

★ TRIAL DRAWS LARGE CROWD

The largest crowds of curious so far stood in line throughout Friday for a chance to get into the courtroom for the Jack Ruby trial.

There are only about 48 seats allocated to the general public in the courtroom. As many as twice this number were on hand at times during the day.

Deputy Sheriff Truitt Whittington, stationed at the top of the stairway down which the line stretched, said the spectators have been good-humored and orderly.

Arrival of such celebrity columnists as Inez Robb and Dorothy Kilgallen apparently sparked much of the interest which brought the large turnout.

5

STILL SHOUTING

Lawyers Continue Bitter Exchanges

Jottings of a bench-straddler at the Jack Ruby trial jury selection Friday:

In an arena where pistols and guns are mentioned in prose, innuendo and satire, the only firearms that particularly stood out Friday were the huge cufflinks with silver six-shooters on them worn by Joe Tonahill, one of the defense attorneys.

Harry L. Elledge, a retired postal worker who now manages an apartment house, was questioned Friday for 40 minutes before Judge Joe B. Brown excused him.

Elledge said he had met Ruby about six months ago as he helped move furniture at Ruby's apartment house on South Ewing.

"I don't remember if I shook hands with him or not," Elledge told Belli, "but he invited me to his club and told me I'd get in free if I'd come down. I didn't go though."

Elledge pretty well summed up a predicament which worries many a potential juror when he said:

"They'll put on their doctors (nodding toward the defense) and you'll put on yours and who am I to believe?"

"That's the only thing that worries me," he said.

Belli moved with the ex-mailman into the realm of schizophrenia, epilepsy, manic depressive state, legal insanity and other highly technical areas before Judge Brown ruled Elledge was of the opinion Ruby was guilty, and it appeared to be a fixed opinion.

THE CAUSTIC, often bitter remarks between counsel continued Friday.

Dist. Atty. Henry Wade objected to questions beginning with "When that Communist Oswald was shot . . ."

Joe Tonahill bellowed, "Well, when that lily of the valley Oswald was shot . . ."

The judge and attorneys for both defense and prosecution got out their law books and read Friday, when tricky points arose.

Judge Brown admonished Tonahill repeatedly. The 245-pounder said current courtroom procedure was "incompatible with human experience, your honor . . . if the district attorney thinks Dallas County has got to kill Jack Ruby, well . . ."

His voice rose higher and higher, louder and louder.

"We're only five feet apart," snapped Brown. "You are only five feet from me. You could almost whisper and I could hear you. There's no jury to impress here now."

"I apologize," said the Jasper lawyer, "but I'm not sure I won't do it again." He went on to explain that he felt he had a duty to his client, then switched to his service career with "I served 30 months at sea in World War II . . ."

Wade cut him with "Judge, we don't care how long he was at war."

After three straight objections from the state, Tonahill boomed, "Judge, we don't have to put everything in the words of the persecuting attorney there, do I?"

Moments later, as the attorney kept boring in on virtually the same subject, the judge warned Tonahill that he didn't want to hold him in contempt.

A few moments later, his temper still flaring, Tonahill asked the witness, 62-year-old Herbert Goellner, if he would take a polygraph (lie detector test) to prove he had no fixed opinions.

Rebuffed by another objection, Tonahill got up and cried out, "If we accepted you as a juror, we'd be disbarred for mal-practice."

Even the court reporter got in the heated exchange when he found he couldn't write what two or three were shouting all at the same time. "Oh, one at a time," he said rising angrily.

6

'KNEW HE'D BE FAIR'

'Premonition' Came True, Recalls Wife of 2d Juror

By HUGH AYNESWORTH
"I saw him sitting up with the Bible the other night, and I'm sure he searched for and found the answer."

Those were the words of the wife of Allen W. McCoy, 40, who Friday afternoon was chosen as the second juror in the Jack Ruby murder case.

The McCoy's live at 1518 Belmont in Irving. They have two daughters, Geri, 9, and Kathy, 6. McCoy, when he left the house Friday morning, told his family, "This is the day . . . we'll know one way or the other today."

Mrs. McCoy, originally from Sadler, Grayson County, said she had a premonition about her husband being picked.

"I knew he would be fair," she said, "and I just felt that if he were called up, there would be no reason in the world to disqualify him."

"He's the fairest man I've ever known," she said.

The McCoy's, she said, are an active family. Mrs. McCoy said she is a Brownie leader and that her husband of 14 years has been spending a good bit of time building a den on the house.

"I guess it'll take another year to finish that den now," she said with a smile.

They attend Irving's First Baptist Church.

"I secretly hoped he wouldn't be chosen, but I know it's the right thing to do, serve when you are called upon," the wife said.

Mrs. McCoy, 39, said her husband had talked little about the death sentence — what the prosecution is asking in the Ruby case. But she said, "I'm sure he settled that in his own mind."

"He searched for an answer the other night. I didn't bother him. I know he thought it out well, he always does," she said.

"He's serious and analytical, and capable of the fairest decision possible, but this means a lot of responsibility."

She said the family discussed the tragic events of Nov. 22-24 at the time they happened, "but we didn't dwell on them much afterward. We're just too interested in other things to dwell on that alone," she said.

McCoy was raised at Eddy, near Temple. He received an industrial engineering degree at Texas A&M and joined the Fritz W. Glitsch & Son Co. here in November, 1953, as a method and time study employee. He currently is an industrial engineer with the Dallas firm.

Mrs. McCoy, educated at Denver University, said her husband had never been away from home much before.

"We've been separated," she smiled, "but it's been me." She said she had been a personnel manager for a military transport group in previous years which forced her to travel.

Asked if there was any message she wanted to convey to her husband—who now will see only court bailiffs and other jurors until the trial is over—Mrs. McCoy said:

"No . . . not right now. I just found out a few minutes ago. I haven't even told the children yet. I don't know what I'm doing. I'm just stunned right now."

Mrs. Elizabeth Hill, personnel manager of the engineering firm which employs nearly 600, said McCoy is "a good, steady employee."

"He is very fair, very dependable and rarely misses work," she said.

McCoy said he had no religious or moral scruples about meting out the death penalty if the evidence warranted it. He said also he could possibly vote for a suspended sentence.

Ruby seemed to like McCoy's rugged seriousness as he sat looking intently at questioning attorneys. Once he said, "It certainly wouldn't be easy to do"—give any man the electric chair penalty.

He then looked squarely at Ruby and added, "but I could do it if I felt it was justified."

McCoy said he had seen the reruns of the much-celebrated television account of the slaying of Lee Harvey Oswald.

He said he could lay aside all he had seen, heard and opined and go entirely by the evidence. This suited all involved.

Told that Max E. Causey, the electronics worker who Thursday became the first juror, needed a card or domino partner in the small dormitory which houses all the jurors for the duration, Mrs. McCoy said:

"Well, he's found himself a good domino player."



Allen McCoy . . . thirty-sixth prospect selected as second juror.

(Mount Clipping in Space Below)

Electronics Worker Picked As First Ruby Trial Juror

Attorneys Select 24th Venireman

By CARL FREUND

Attorneys chose a 35-year-old electronics worker Thursday as the first juror in the Jack Ruby murder trial.

He is Max E. Causey of 710 Peachtree Lane in Garland, a Ling-Temco-Vought analyst. A former KC97 tanker pilot, he holds a master's degree in education.

Causey was the 24th venireman questioned by prosecution and defense lawyers in the quest for a jury which must decide whether Ruby committed murder when he shot Lee Harvey Oswald while millions watched on television.

(Indicate page, name of newspaper, city and state.)

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Ruby shot Oswald in the City Hall basement after his arrest as the prime suspect in the assassination of President Kennedy. Defense lawyers contend Ruby was temporarily insane and "acting like a robot" when he pulled the trigger.

Ruby, himself, made the final decision to accept Causey.

The stocky, sandy-haired juror said he could vote for the death penalty if he thought evidence justified it. On the other hand, he said, he would find Ruby innocent if defense lawyers showed the striptease club manager was insane.

"I feel I have no opinions which would affect my verdict," Causey said.

Causey said he was attending Sunday morning services of the First Baptist Church in Garland when Ruby shot Oswald. Later, Causey said, he watched "a re-run" of the shooting on television.

The day, which was marked by more heated wrangling among lawyers, also brought these developments:

—Judge Joe B. Brown rejected a defense request that he transfer the trial to another county "where it is apparent that we are not in the Dark Ages—that there is such a thing as insanity."

—Defense lawyers used their fifth peremptory challenge to reject L. E. McBride, a 58-year-old aircraft inspector, after charging that he "wanted to get on the jury." (These challenges allow lawyers to reject prospective jurors without giving any reason.)

—Judge Brown turned down a defense contention that a prospective juror is disqualified simply because he believes Oswald was shot to death.

—Prosecutors charged that defense lawyers deliberately asked questions which they knew were improper in an attempt to create a "circus atmosphere."

—Melvin Belli of San Francisco, the chief defense attorney, charged that Sheriff Bill Decker's deputies, who were guarding Ruby, eavesdropped on strategy conferences of defense lawyers.

—Belli asked Judge Brown to give the defense more than the 15 peremptory challenges normally allotted each side. The judge said he had not "given any thought" to increasing the number, but did not reject the request outright.

Ruby, who smiled at reporters Wednesday, appeared more grave during Thursday sessions of Criminal District Court No. 3. Peering through horn-rimmed glasses, he examined documents and conferred repeatedly with his lawyers.

Most veniremen Thursday were excused because they did not believe in the death penalty or had opinions which would affect their verdicts.

Judge Brown disqualified one prospective juror, J. P. Carr, after Carr commented, "I don't think they can prove to me that he is insane."

Belli and Joe Tonahill, a 240-pound Jasper lawyer who also represents Ruby, said they still believe they cannot get a fair jury here.

They complained that rulings by Judge Brown handcuffed them in their attempts to "probe the subconscious thoughts" of prospective jurors.

Dist. Atty. Henry Wade said he is "more convinced than ever" that lawyers can select an impartial jury here, but conceded the tedious task "may take two or three weeks."

Wade and First Assistant Dist. Atty. A. D. Jim Bowie spent much of the day objecting to defense questions which they termed "obviously improper."

THEY BE GONE LONG

Wife Says Mate To Be Good Juror

By HUGH AYNESWORTH

The wife of the first juror picked for the Jack Ruby murder case said Thursday she didn't want him to serve on the jury but felt he would be "a fair, good juror."

Mrs. Rosemary Causey, 37, was watching television with a long-time friend, Mrs. Frances Locklear, when the news flashed over the wire that her husband, Max, an engineering planning specialist with Ling-Temco-Vought, had been chosen.

"I just know he'll be gone a long time," she said as reporters, friends and well-wishers began to telephone her. "I don't want him to be gone, but we realize it's his duty to serve."

On second thought, the petite one-time physical education teacher, added: "I think I'll send Mr. Belli (defense attorney Melvin Belli) a note telling him to send Max home . . . because I need him."

Both the Causeys have masters degrees, he in education and she in physical education. They both went to East Texas State College at Commerce.

Causey, 35, grew up at Caddo Mills and attended high school at Josephine. Rosemary went to Commerce High and later taught at Greenville High, where she was employed when they were wed in June, 1953.

Rosemary was thrilled to learn that she could exchange notes with Max. She was told, also, that these notes would be read by a bailiff before they were delivered—both ways.

"Oh well," she smiled with a twinkle in her eye, "I'm sure that ~~bailiffs~~ ^{Max} been in love."

The Causeys have two sons, Keith, 8, and Kevin, 5.

Keith, missing a couple of front teeth, explained that he loved football and that he didn't particularly like his daddy being gone for what is expected to be a lengthy period.

He said he guessed his school-mates would want to talk with him about his father's role, but added, "I don't care about that . . . I just don't want him gone very long."

Causey, who studiously answered many pointed questions to pass the rigid test of an "impartial and fair" juror, didn't want to be away from home much, either.

"I am not interested in serving on this jury," he told defense attorneys.

He sat solidly in the witness chair throughout the grueling questioning.

He wore a black suit, a red tie and had a neat white handkerchief with his initials on it showing slightly from his left suit pocket. He appeared unmoved by all the bickering between state and prosecution attorneys, which took about a third of the time he was on the stand.

Only near the end—as defense attorneys gathered in a tightly knit conference in front of Ruby—did he seem to be nervous. He began to adjust and finger his tie.

His wife said they had discussed his being called for jury duty. She said he told her, "I'll bet it's for this Ruby thing."

"We discussed it a good bit," said Mrs. Causey, "and he said he thought he could be a good juror, if chosen."

And, apparently, the defense attorneys thought so, too. Belli, chief defense lawyer, said, "He's

the kind we're looking for . . . intelligent, unemotional."

Belli's aide, Joe Tonahill, offered to let Causey go home for the night, but Judge Joe B. Brown cut that short with the demand that the juror be sent to the dormitory upstairs from the courtroom—where he will remain.

Mrs. Causey said Max's parents, Corvie and Fannie Causey of Caddo Mills, "are sure going to be surprised. They don't have a television set. I'll bet they get one now."

He has a sister, too, Mrs. Jo Heath of Dallas.

The Causeys live at 710 Peach-



Max E. Causey . . . first Ruby trial juror.

tree Lane in Garland, close to the Garland LTV plant where Max has worked for eight years.

"We're usually homebodies," said Mrs. Causey. "I guess we'll really be now."



—Dallas News Staff Photo by John Flynn.

Mrs. Max Causey, her son Keith Causey, 8, and another son, Kevin, 5 (not shown), are going to be without "Daddy" for a while. Mr. Causey was chosen Thursday as the first juror in the Jack Ruby murder trial.

Notion of Dallas' Guilt Debunked by Attorney

By JOE THORNTON
News Staff Writer

IRVING, Texas — The notion that the City of Dallas is to blame for the assassination of President Kennedy was debunked here Thursday night by a Dallas attorney.

"The question of whether Jack Ruby is guilty or not has been substituted by the question of the collective guilt of Dallas," David Witts told the Plymouth Park School Parent - Teachers Association.

"But guilt is always and only personal" he noted. "Guilt can never be collective."

Jack Ruby is the man accused of shooting to death Lee Harvey Oswald, the alleged Marxist assassin of the President.

"Almost as shocking as the tragedy itself (the president's assassination) is the use made by ignorance or plan of different sources to turn the murderous act of a Communist into a violent complaint against Dallas and Texas," he said.

The sources, Witts said, were national magazines, propagandists, high governmental officials and "the man in the street."

"Those who would indict a whole nation with collective guilt have themselves yielded to the hysteria they would charge to others, and in so doing, show their own country is past their understanding," Witts charged.

It need be no disgrace to Dallas, the attorney said, "that President Kennedy was killed here by a confessed Communist. It could just as easily have happened in San Antonio. Or New York. Or Washington."

The time has come, however, he said, "that each individual citizen must rise to the defense of his city, state and country," he said.

"It is time," he continued "to stop and ask what is wrong with those who spread deliberate falsehoods or hurl vicious innuendoes."

"It is time that we rise up against this perversion of truth — this damning of our innocence."

"For if we do not, then it will have become very late in the night of history and very late in the life of Dallas. And of America."

★ WOMAN HAS FORESIGHT

A Cincinnati housewife Thursday offered a solution to one of the legal wrangles in the Jack Ruby trial.

"What's wrong with all those lawyers? Why don't they use their heads?" asked Mrs. Philip Steiner in a telephone call to The News.

"If they want a jury that has not seen the Oswald shooting on television, why not pick a jury of 12 blind men?"

Lone Ruby Juror Gets 8-Foot Square Room

Max Causey, first juror picked for the Jack Ruby trial, will be housed in an 8-foot square bedroom furnished with a bed, lavatory and commode.

His room, like all the others to be used by jurors in the Ruby case, opens off a hall which has a lounge at the far end.

If attorneys permit, a television set will be bought in—but if so, Causey's viewing will be censored by Judge Brown's bailiff, W. W. "Bo" Mabra.

No newscasts will be shown and some of the detective or law shows might be ruled out.

Causey will be able to read newspapers, but all stories concerning the trial will have been clipped out. Books or magazines will undergo the same scrutiny.

"We're going to be playing a lot of dominoes," the friendly Mabra smiled. He has sat with many a juror in the past 14 years as bailiff in Brown's court.

"They usually come up to their quarters in a state of shock," he said, "then after a while they become accustomed to it all and become perfectly agreeable."

Mabra predicted Causey would be a resident of the courthouse longer than any other juror involved in a Dallas case.

Six years ago, he said, one juror was there 18 days before jury selection was completed. The case, he said, took two weeks more.

Mabra said Causey was "up there now writing some notes—probably to his family."

Mabra said he would call Mrs. Causey and explain that he could be reached at any time of the day or night. "All she'll have to do is call me and I'll get the message to the juror," he said.

Causey will earn \$8 a day. He will have to pay for his meals at \$1 a meal-out of this.

LAWMAN

Belli Swaps Shouts With Venireman

Laconic, drawling State Police Capt. M. C. Blount turned up as a prospective juror Thursday afternoon in the Jack Ruby case, and wound up in a shouting match with silver-tongued defense lawyer Melvin Belli.

It all ended with Judge Joe B. Brown personally excusing Blount from the jury list.

Blount told the court that the only thing he knew about the Ruby case "was what I read in the newspapers." He answered yes to state questions of whether he felt he could give Ruby a fair trial as a juror.

When it came Belli's turn for questioning, he asked Blount why he hadn't taken advantage of a ruling exempting him from jury duty.

In the course of haggling over the question, Blount's voice rose as he interrupted the attorney.

"Are you trying to shout me down?" shouted Belli at Blount.

"I'm a pretty good shouter," shouted back Blount.

"And I bet you're a pretty good shooter, too," replied Belli, still in high pitch.

"You want to get on this jury so you can send this defendant to the electric chair, don't you?"

When state attorneys jumped up to object, Judge Brown announced that he was excusing Blount as a possible juror.

"We got along pretty fine, didn't we?" Belli asked Blount as the officer, a veteran of 23 years with the Texas Highway Patrol, stepped down.

"Yes, we did," said Blount with a smile. And they both shook hands.

Defense Asks Additional Challenges

Attorneys for Jack Ruby asked Judge Joe B. Brown Thursday to give them more than the usual 15 peremptory challenges allowed each side in a murder trial.

These challenges permit a lawyer to reject a prospective juror without giving a reason.

The defense request came when Ruby's lawyers had used five challenges — one-third of their total.

Judge Brown did not rule specifically on the request but told the lawyers, "I haven't given any thought to it (allowing more than 15 peremptory challenges)."

Dist. Atty. Henry Wade said state laws provide for only 15 peremptory challenges for each side.

Wade said, however, that prosecutors "can't do a thing about it" if a judge gives additional challenges to the defense.

"They could appeal if we got more challenges, but we don't have the right of appeal," Wade noted.

EAVESDROPPING CHARGED

Ruby Defense Likens Watch to Nuremberg

Defense lawyers complained Thursday that security arrangements for the Jack Ruby murder trial were tighter than those in Nuremberg, Germany, during the Nazi "war crimes" trials there.

They claimed also that Sheriff Bill Decker's deputies were eavesdropping on strategy conferences at the defense table.

Melvin Belli of San Francisco, the chief defense lawyer, jumped to his feet during questioning of L. E. McBride, a prospective juror.

With a dramatic sweep of one arm, Belli cried out:

"We're surrounded by police officers. I've seen trials at Nuremberg where there were less officers around."

Reporters asked Belli later whether he had attended the Nuremberg trials.

The attorney conceded he had not attended the Nuremberg trials in 1945. He said, however, that he had been in Nuremberg later and had seen photographs of security measures taken during the trials of top-ranking Nazis.

Complaining about the lack of privacy, Belli noted that three deputies sat near Ruby at the defense table. The lawyer said defense attorneys couldn't confer without the deputies hearing their remarks.

"All he has to do is talk a little lower," suggested First Assistant Dist. Atty. A. D. Jim Bowie. "I think you call it sub rosa."

This brought Joe Tonahill, Belli's chief assistant, to his feet. Tonahill said he didn't like Bowie's observation.

Judge Joe B. Brown, who was obviously irritated, snapped, "Oh, sit down, Mr. Tonahill, and get on with your questioning."

Belli insisted that the defense table be moved nearer the bench so there would be more space between Ruby's lawyers and the deputies who guard him.

"Well, go ahead," Judge Brown said wearily.

Ruby, who had ~~danned~~ horn-rimmed glasses to read news-

paper clippings, shoved his chair forward as his lawyers pushed their table nearer the bench.

Decker said the deputies were in the courtroom to guard against disturbances—not to eavesdrop.

The officers appeared to take little interest in the proceedings.

They spent most of their time watching the courtroom crowd for any sign of a suspicious movement. Their backs were to defense lawyers.

Decker indicated the guard would continue — unless Judge Brown orders him to drop it. From the attitude taken by the judge, who seemed unimpressed by the defense complaints, it appeared unlikely he would instruct Decker to abandon the guard.



—Dallas News Staff Photo by John Flynn.

TRIAL COVERAGE, ITALIAN STYLE

Spectators and newsmen covering the Jack Ruby trial have been surprised at the sight of Ruggero Orlando, representative of Radiotelevisione Italiana, Rome, standing in

a hallway during trial recesses pouring torrents of Italian into the microphone he holds. Tape recordings of these sessions are then rushed home for Italian viewers.

Sheriff Intensifies Security for Ruby

Already-tight security to protect Jack Ruby from an assassin was intensified Thursday by Sheriff Bill Decker after four mentally deranged persons — one armed with a loaded pistol — have tried to crash the gate at the murder trial.

Two more men were arrested at the courthouse Thursday by sheriff's deputies. One was in the district attorney's office, and another was just outside the courtroom where selection of a jury for Ruby entered a fourth day.

A 46-year-old Tupelo, Miss., man was arrested after he walked into Dist. Atty. Henry Wade's office about 8 a.m. Thursday, asking for directions to "offices of Ruby's attorneys."

DA's investigator Bud Adkins said the man claimed he knew all about Ruby and Lee Harvey Oswald.

Ruby is charged with killing Oswald, President Kennedy's accused assassin, in the City Hall basement on Nov. 24.

Later a 23-year-old Dallas resident, on furlough from the Terrell State (Mental) Hospital, was arrested after he repeatedly tried to enter the courtroom.

Decker and 21 of his men (plus a woman deputy who searches women entering the court) are only a part of the guard force with the primary mission of preventing any harm to Ruby.

In addition, 10 top-flight detectives of the Dallas police department — six of them from the intelligence unit — "fan" the large crowd of spectators for known characters or suspicious persons.

On Monday, David Conrad Glass, a 39-year-old logger from Beatty, Ore., was arrested while carrying a loaded .32-caliber automatic pistol into the district attorney's office.

"My guardian angel must have been perched on my shoulder when the first one (Glass) came," Decker said.

"Fortunately, they caught him in the district attorney's office in the Records Building before he got a chance to come to court. He was promptly turned over to us," the sheriff said.

Glass, who was charged with carrying a concealed weapon remained in jail Thursday, said he carried the gun only for protection.

But he also told Deputy Sheriff Allan Sweatt: "I got arrested on a peace bond in Albuquerque (N.M.) last July. The judge and the woman who filed charges on me said that President Kennedy would be killed in Dallas Nov. 22 by Oswald, and that Ruby was going to then kill Oswald. I was supposed to come here and kill Ruby."

The judge in Albuquerque said if the man ever comes across the New Mexico line again, he will get treatment for mental illness.

The Mississippi man claimed he saw Ruby playing the part of a clown and Oswald was the master of ceremonies in a show at Gulfport, Miss., last summer. His mother told wire services he had been treated at a Veterans Administration hospital for mental illness.

The Dallas man home from the mental hospital was arrested when he tried to push his way past deputies. Explaining why his pockets were jammed with a variety of matches, he said "I smoke a lot." He later was released to his mother.

During the change of venue hearing, a 74-year-old woman from Phoenix, Ariz., arrived at the courtroom, demanding admittance.

She told Deputy Sheriff Rosemary Allen, "I want to testify about my book."

"The book ('How I Lived With Cancer and Arthritis for 20 Years') has never been published. President Kennedy told me by radio that it would be published, but four publishers already have turned it down."

"... I know that if I could testify about what President Kennedy told me on radio, then I could get my book published," she said.

Decker summed up the added problem to security:

"Mental illness is a pathetic thing. For some reason the Ruby trial acts like a magnet in drawing them here."

Ruby Juror Finally Selected; Has Respect for Psychiatry

DALLAS, Tex., Feb. 21 (AP).

Defense attorneys in Jack Ruby's murder trial, having accepted their first juror, set out today to find more like him — well-educated persons with a respect for modern psychiatric findings.

Juror Max E. Causey, an electronics analyst, is "just what we've been looking for," said Ruby's chief of defense, Melvin M. Belli.

Mr. Causey, 35, holds a master's degree in education. Under questioning, he said he was familiar with the names of some prominent psychiatrists, mentioned by Mr. Belli, and knew about books they have written. He did not indicate he had read the books.

Ruby's defense against a charge of murder with malice will be based on temporary insanity. Mr. Causey said he has an open mind about what Mr. Belli called "transient insanity."

Ruby killed Lee Harvey Oswald, accused assassin of President Kennedy, as Oswald was

being transferred from a Dallas jail on November 24.

Prior to Mr. Causey's appearance yesterday—fourth day of the trial—all of the prospective jurors summoned for questioning had been rejected.

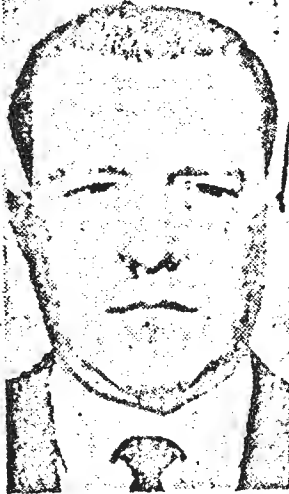
Mr. Causey is a former Air Force pilot. He received a master's degree at East Texas State College about two years ago.

Mr. Belli's manner of questioning Mr. Causey had indicated he might agree to seat him.

First, District Attorney Henry Wade accepted the juror.

When District Judge Joe B. Brown asked the decision of the defense, Ruby's attorneys went into a huddle around Ruby. They asked his opinion of Mr. Causey and said he replied, "He looks all right to me."

"We accept this juror," Mr. Belli said.



MAX E. CAUSEY

—AP Wirephoto

Later Mr. Belli said of Mr. Causey, "He's just what we've been looking for. He has a respect for psychiatry and what's been done since the dark ages. He's going to be very alert about that part of our case."

Says Opinion Not Shaken

He said the fact that a juror has been found does not shake his opinion about the outlook for assembling an unprejudiced jury in Dallas. He says it can't be done.

Mr. Belli continually renews his motion to take the trial out of Dallas. At the end of yesterday's session, a 30th prospective juror was still on the stand and Mr. Belli said, "One out of 30 isn't anything."

The score for jury-selecting stands:

Accepted, 1; rejected by defense peremptory challenge, 5; rejected by prosecution peremptory challenge, 1; excused as opposed to the death penalty, 11; excused having formed opinions, 10; excused for illness, 1; still under questioning, 2.

Mr. Causey was remanded to an 8-foot square, windowless room on the eighth floor of the Dallas County Records Building.

Until other jurors join him, or the trial is transferred, his only companion will be a court bailiff. He can communicate with his wife and two sons only through messages — which are read by the bailiff.

Will Go to Cafe to Eat

Mr. Causey will get \$5 daily pay as a juror, plus a \$3 meal allowance. He will be taken to a nearby cafe to eat.

Mr. Wade estimated the jury selection might continue as long as three weeks.

Tolson _____
Belmont _____
Mohr _____
Casper _____
Callahan _____
Conrad _____
DeLoach _____
Evans _____
Gale _____
Rosen _____
Sullivan _____
Tavel _____
Trotter _____
Tele Room _____
Holmes _____
Gandy _____

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The Washington Post and Times Herald _____
The Washington Daily News _____
The Evening Star _____
New York Herald Tribune _____
New York Journal-American _____
New York Mirror _____
New York Daily News _____
New York Post _____
The New York Times _____
The Worker _____
The New Leader _____
The Wall Street Journal _____
The National Observer _____
People's World _____
Date _____

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ON THE LINE:

The Good Little People

By BOB CONSIDINE

DALLAS: Of what we've heard from the first three panel people who tried for and missed making the jury in the Jack Ruby case, Dallas is no different from any other town whose burghers are asked to pass on a prisoner's life or death.

Melvin Beill, head of the defense, is of the opinion Ruby cannot possibly get a fair shake in Dallas; that consciously or unconsciously any jury selected here would hope to send him to the electric chair to "avenge" the city's fair name. Beill is not alone in this belief.



CONSIDINE

But the first three who took the stand might have come from Any Town, U.S.A. If they harbored any hatred for the pasty little man with the eyes of a blackbird, nothing in their voice or manner betrayed them. They approached their duties as citizens subject to jury duty with dignity, answered scores of legalistic questions as best they could, and went their way. Watching them, I couldn't tell whether they were relieved or distressed.

There is awe in jury work, when the death penalty is going to be asked by the state. Ordinary people who might hesitate to step on an ant or swat a fly are called upon by the law to decide a man's fate. It is an experience that will live with them the rest of their days, and many of their nights.

Yet there is an attraction to the jury box, too, difficult to define but certainly there. The first panelman called in this case, a forthright man in his 30s named Hilliard Stone, who works for a local aerospace firm, clearly welcomed the opportunity that was dangled before him.

"We're going to ask for the electric chair in this case," tough-minded District Attorney Hank Wade, ex-FBI man, has sent a parade of convicted

killers to death, said quietly to Stone. "Any scruples about capital punishment? Any religious objections?"

"Every intelligent man has thought about such things, I guess," Stone answered thoughtfully. "I can't give you a terse yes or no. Whether society has the right to take a man's life is a pretty big issue. I'd have to hear the testimony before I could make up my mind one way, to acquit, or decide that in this case society can no longer tolerate the situation... like a surgeon amputating a gangrenous thing..."

The Ruby trial's panel-questioning period has produced the inevitable. It happens in every trial. One of the dear ladies who was called to the stand—she was a gentle soul who reminded us a bit of the late, great Zasu Pitts—seemed never to have heard of Jack Ruby, Lee Harvey Oswald, the assassination, the murder, the frenzy of headlines, the endless hours of radio and TV reporting.

Oh, no, she gasped every now and then, helplessly, she hadn't formed even one teenie-weenie bit of prejudice, or even impression. Ruby's tawdry striptease joint? Well, if the law allowed it, she sighed, she guessed it was every bit as respectable as—say—a men's store.

It seemed like a good simile.

Now, Mr. Stone, what do you remember about what you said to your wife when you saw the replay of the actual killing on TV, and what did she say to you? He shrugged. Who remembers what married people say to each other, he wanted to know.

Mostly, the good people sat there, doing their duty as best they knew it, and watching with fascination as the great rival bulls of the law growled at each other over the balding head of the man who clouded history's understanding of the reason behind the death of a beloved President.

Little people would decide about him. Good little people.

Belmont ☒
Mohr ☒
Casper ☒
Callahan ☒
Conrad ☒
DeLoach ☒
Evans ☒
Gale ☒
Rosen ☒
Sullivan ☒
Tavel ☒
Trotter ☒
Tele Room ☒
Holmes ☒
Gandy ☒

The Washington Post and Times Herald ☒
The Washington Daily News ☒
The Evening Star ☒
New York Herald Tribune ☒
New York Journal-American ☒
New York Mirror ☒
New York Daily News ☒
New York Post ☒
The New York Times ☒
The Worker ☒
The New Leader ☒
The Wall Street Journal ☒
The National Observer ☒
People's World ☒
Date ☒

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Lawyers Again Fail To Seat Ruby Juror

By HUGH AYNESWORTH
and CARL FREUND

Attorneys failed again Wednesday to select a single juror for the Jack Ruby murder trial.

Dist. Atty. Henry Wade said, however, he still believes they can get an impartial jury here to decide whether Ruby committed murder when he shot Lee Harvey Oswald.

"I think we should keep trying for at least two weeks," Wade said.

Judge Brown said he was "neither discouraged nor encouraged" by the failure of lawyers to accept a single juror from the first 16 veniremen questioned.

THE JUDGE observed that defense lawyers "don't appear to be trying too hard" to get a jury.

defense legal staff, head-
Melvin Belli of San Fran-
Joe Tonahill of Jua-
the trial moved to

Lawyers questioned 12 prospective jurors Wednesday during court sessions marked by more wrangling.

Prosecutors used their first peremptory challenge to reject a prospective juror they didn't want.

Defense lawyers used two more challenges.

As a result, they have only 11 remaining.

WHEN THEY use these challenges, they must accept every prospective juror who does not disqualify himself. They could no longer reject these jurors without giving any reason.

Judge Brown ruled Wednesday that nine prospective jurors were disqualified because they had fixed opinions or did not believe in the death penalty.

Arguments between lawyers

reached a peak when defense attorneys tried to subpoena a prospective juror who had seen Oswald shot on television. Tonahill said he wanted to use the prospective juror — and others who had seen the shooting on television — as witnesses during the trial.

WADE ACCUSED the defense of resorting to "a stunt," and Judge Brown blocked Tonahill from going through with the plan.

Judge Brown indicated he would continue attempts to get the jury into next week.

"If it's possible to get a fair and impartial jury, I want to try the case here," he told reporters.

Shortly before the judge recessed his Criminal District Court No. 3 for the day, defense lawyers used their fourth peremptory challenge to keep Hubbard L. Hill of 113 W. Avenue F in Garland off the jury.

THEY DID so after Judge Brown said Hill, a veteran mechanic for Safeway Stores, was qualified to serve on the jury.

The defense used its third peremptory challenge just before the midday recess. Ruby's lawyers refused to accept H. C. Connally, 9114 Westgen, a PBX installer for Southwestern Bell Telephone Co.

Connally, who described himself as a distant relative of Gov. John Connally, said he was "horrified" when Ruby shot and killed Oswald.

He said he would set aside what he had seen, heard and discussed and consider only the evidence, if chosen as a juror.

Mr. Tolson _____
Mr. Belmont _____
Mr. Mohr _____
Mr. Casper _____
Mr. Callahan _____
Mr. Conrad _____
Mr. DeLoach _____
Mr. Evans _____
Mr. Gale _____
Mr. Rosen _____
Mr. Sullivan _____
Mr. Tavel _____
Mr. Trotter _____
Tele. Room _____
Miss Holmes _____
Miss Gandy _____

(Indicate page, name of newspaper, city and state.)

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JUDGE BROWN'S COURT

12 Turned Down For Ruby's Jury

Twelve potential jurors were brought into the crowded, bustling courtroom Wednesday where Judge Joe B. Brown is attempting to seat 12 impartial citizens so that the Jack Ruby murder trial case can be tried in Dallas.

None of the 12 was accepted. The state refused one and the defense two.

Here in capsule form is what the dozen said Wednesday:

J. I. Richardson, 36, 4204 W. Clarendon, said he had religious scruples against the death penalty. He was excused by the court.

Jesse R. Jones, 59, of Lancaster, was excused by Judge Brown for the same reason.

J. H. Roper, 41, 3224 Chapel Downs, said he had no scruples about the death penalty but admitted he had an opinion about the guilt or innocence of Jack Ruby. He was excused by the court.

Charles S. Toon, 4729 San Marcus, Mesquite, said he would enter the jury box with the belief that Ruby might be a Communist, that that fact might be proved or disproved in the trial. He said he had discussed the case several times with workers and friends.

Toon said he was somewhat upset that someone had killed Oswald and felt that the world was deprived of finding out who was behind the self-styled Marxist. The court excused Toon.

Frank Meza, 38, 3814 Mount Everest, said he had no fixed opinions about the case, had nothing against psychiatrists, didn't think Dallas was necessarily on trial, would believe a strip-tease artist as well as any other witness and had no prejudice against anyone. He was the state's first peremptory challenge.

H. C. Connally, 34, 9114 Westglenn, said he could not identify Ruby as the man who shot Oswald on the television screen, could not recall all that he had read about the case and wouldn't mind the death verdict if the facts warranted it. He said he was a distant relative of Gov. John Connally and said, "I personally would not like to be a juror." He was excused by the defense's third peremptory challenge.

John A. Lampo Sr., 45, 7239 E. Mockingbird, said he had formed an opinion about Ruby's guilt. "This is no ordinary case," he

said. "This is a cut and dried affair." He was excused by the court.

A. H. Fawks, 2438 W. 10th, said he couldn't assess the death penalty. "All my life I've been a Christian gentleman," he said, "and this is just against my principles." The court dismissed him.

Clarence E. Gilmore, 29, 915 S. Waterview, Richardson, said he definitely would not try Ruby on newspaper accounts of the slaying, said he had "heard it discussed" that Ruby had a motive and said he would "call the shots as I see them" if he were to be on the jury. Gilmore said he had wondered about the origin of the defense attorneys' funds. He said he could lay aside what he had heard, read and seen but "it could never be guaranteed" that something might not come out of his subconscious mind to affect the verdict. The court dismissed him.

Mrs. Marguerite Dixon, 54, 3027 Maryland, said she had religious scruples against assessing the death penalty. She was released by the court.

Hugh O'Neal Dancer, 36, 2539 El Cerrito, said, "I definitely have an opinion (as to Ruby's guilt or innocence). I had it when I walked in here. I'll put it aside to the best of my ability, but I have it." He said it would take evidence to prove Ruby was innocent—in his mind. The court dismissed him.

Hubbard L. Hill, 53, 113 W. Avenue F, Garland, said he believed in the death penalty, held no prejudice and could lay aside all he had read, heard and discussed, and believed he could be a fair juror. Defense attorneys asked the court to strike him because of opinions but Judge Brown refused. The defense used its fourth peremptory challenge.

Tonahill Shouts in Anger As DA Questions Venireman

Defense attorney J. H. Tonahill, the 245-pound Tonahill, "then of Jasper appeared almost violent Heaven help this court and this Wednesday as Dist. Atty. Henry Wade questioned potential juror Charles S. Toon, a Mesquite post-man."

Toon admitted that he had formed opinions about the innocence or guilt of Jack Ruby, charged with killing Lee Harvey Oswald last Nov. 24 in the City Hall basement.

Toon told Wade he could lay aside these opinions and be an impartial juror, if chosen.

"If he isn't disqualified," roared Judge Joe B. Brown.

"I didn't make the laws," Wade snapped.

"No," bellowed Tonahill, "but he wants to exercise the laws of Communist Russia in this court. If we have to live under these standards, then the district attorney doesn't deserve to live as an American."

The jury candidate was excused a few moments later by Judge Joe B. Brown.

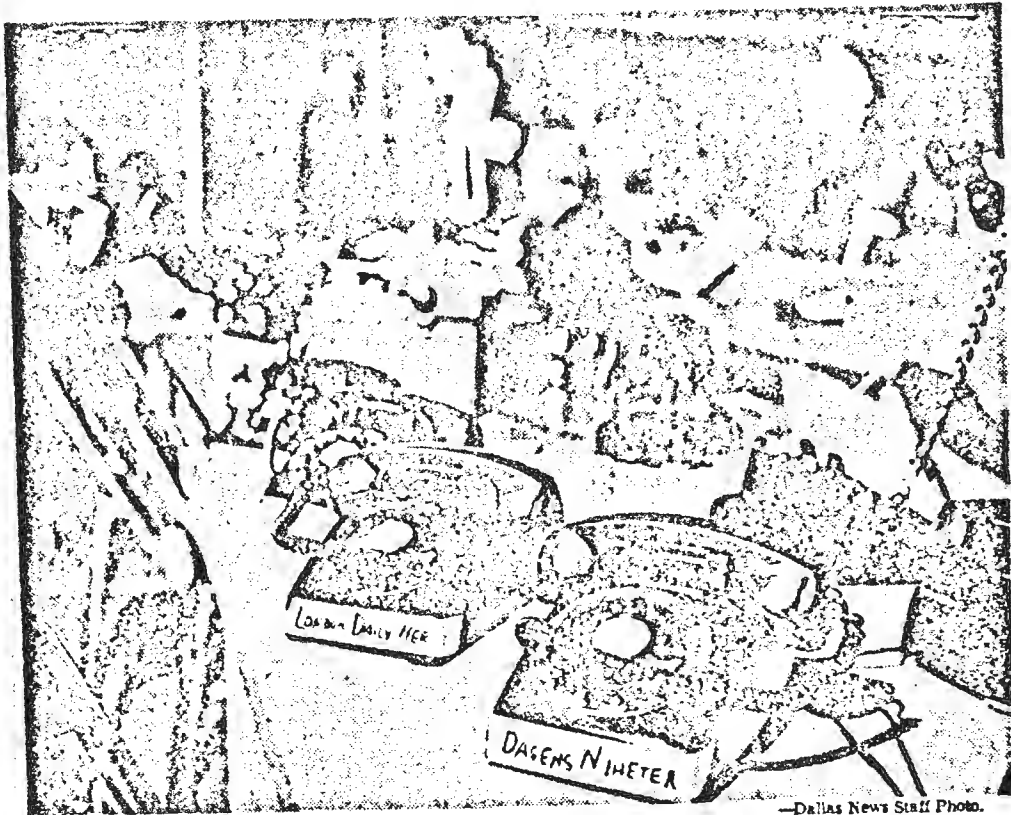
★ BELLI WARY OF WEEPERS

Melvin Belli, chief counsel for Jack Ruby, explained Wednesday that he has a right to be suspicious of jurors.

He recalled one of his early criminal cases. "There was this woman juror who wept during the whole trial." Belli thought she was a cinch for the defendant he represented.

The jury voted 11 to 1 for acquittal. The single vote hung the jury and Belli found out later that the weeping woman had cast that single frustrating vote. "Why?"

"Well, she said, 'I could see you were just out of law school. And I have a son who's just out of law school. You reminded me of him, and I felt sorry for you.'"



—Dallas News Staff Photo.

A web of phone lines for Jack Ruby's trial.

Media of World Gathered Here

By KENT BIFFLE

Four Western Union operators are sending an average of 18,000 words a day written by correspondents covering preliminary stages of the Jack Ruby murder trial in Dallas.

That figure will jump to perhaps 100,000 words a day as suspense in the outcome of the trial increases.

Thousands upon thousands of additional words are being phoned directly to offices by other reporters.

Sven Oste of Ekstrabladet, a Copenhagen daily, phones at noon, for instance. That is 7 p.m. in Denmark.

Operators may number 20 before the trial is over, said Floyd Kemp, Western Union's supervisor of the press-room set up in the probate court.

The Dallas County courthouse is taking on an international flavor.

Pinned to a bulletin board in the old press-room is a note: "Charles Laros, call home (Switzerland)."

During lulls in the questioning of prospective jurors, one can hear the murmur of a couple of French reporters interpreting for each other.

The list of news media, other than local, now represented or soon to be represented at the trial includes:

Agence France Presse; Switzerland's Blick; the Boston Herald-Tribune; Canadian Broadcasting Co.; CBS; the Chicago Daily News; Italy's Corriere Della Sera; Czechoslovak News Agency.

Sweden's Dagens Nyheter; Denver Post; Detroit Free Press; Detroit News; Hamburg's Die Welt; Copenhagen's Ekstrabladet; Stockholm's Expression; the French Broadcasting Co.; Hearst Newspapers; the Kansas City Star; Germany's Kindler Revue.

Life Magazine; the London Daily Herald; London Daily Express; London Daily Mail; London Daily Mirror; London Daily Telegraph; London Evening News; London Evening Standard; London Sunday Times.

The Los Angeles Times; Miami News; National Observer; New York Herald Tribune; New York Post; Newsweek Magazine; New York Times; Paris Match.

Reuters International News Service; Sydney Morning Herald; Time Magazine; Toronto Telegram; Toronto Star; United Feature Syndicate; Winnipeg Tribune.

New York's WNEW; the New York Daily News; Germany's Sueddeutsche Zeitung; Le Figaro; France Soir; the Saturday Evening Post; Washington Evening Star.

The New Republic; MacMillan Co.; Artist; Fort Worth Press; Associated Press; Houston Chronicle; Hearst News of the Day; Fort Worth Star-Telegram.

NBC; Swedish Broadcasting Corp.; Stockholm's Aftonbladet; United Press International; British Broadcasting System; Europe Number One; Christian Science Monitor; Denver Post; Houston Post; UPI Newsfilm; Pyramid Publishing Co.; and Portales New Mexico Tribune.

Others like Bulgaria News Agency and Poland's Trybuna Ludu may send representatives later.

J. E. Petty, regional manager of Western Union International Inc., is coordinating the filing of copy by foreign correspondents.

He said Wednesday that while the operators' language is English, they are able to send in any language as long as the message is written in English characters.

The average operator can send about 60 words a minute—as long as there aren't too many words like "geschworenenkandidat," meaning jury candidate or venuteman, in the Blick correspondent's copy.

ASSASSINATION

Parkland To Preserve 3 Records

Parkland Hospital's medical records of President John Kennedy, Gov. John Connally and Lee Harvey Oswald will become a part of the hospital's permanent records.

They are "hospital records which have to be maintained in the hospital," according to C. Jack Price, hospital administrator.

A statement on the disposal of the records was made Wednesday at the regular monthly meeting of the board of managers of the Dallas County Hospital District, which operates Parkland and Woodlawn Hospitals.

It was prompted by the request, through a Dallas physician, that the records be allowed to go to the American Medical Association's national headquarters in Chicago, Ill. The physician was Dr. Milford O. Rouse, speaker of the AMA's House of Delegates.

Dr. Rouse later sent a personal check for \$100 to be used toward permanent safekeeping of the records, a check which the board formally accepted Wednesday.

Edward R. Maher, chairman of the board, gave assurance that the board will arrange for the records to be kept "in the most permanent form we can devise."

It was to Parkland that the late President Kennedy and Gov. Connally were taken following the Nov. 22 shooting here. Oswald was taken to Parkland after he was shot Nov. 24.

The board also approved free accounts for the month of January amounting to \$666,878.87 and uncollectable pay accounts in the amount of \$71,110.07 for the same month.

(Mount Clipping in Space Below)

Alt on Jury Panel Who Saw Slaying Facing Subpoenas

By **FAN WEINBERG**
and **JERRY RICHMOND**
Staff Writers

Defense attorneys for Jack Ruby sought Wednesday to disqualify all prospective jurors who saw the slaying of Lee Harvey Oswald on television by subpoenaing them as witnesses in the Ruby murder trial.

Earlier Judge Joe B. Brown had repeatedly rejected defense objections to qualifying prospective jurors who had seen on television the slaying of Oswald by Ruby in the basement of the Dallas City Hall.

Judge Brown also denied Wednesday morning a defense motion for a mistrial after defense counsel Melvin Belli claimed Dist. Atty. Henry Wade was "contaminating" the minds of prospective jurors.

The state was forced to use the first of its peremptory challenges Wednesday to keep the ninth prospective juror from being accepted.

The first juror had yet to be chosen as the trial droned through its third day.

Defense attorney Joe Tonahill said he would issue a subpoena for all prospective jurors who

were witnesses to the Oswald shooting.

The first such subpoena was issued for H. C. Connally, the 10th venireman to be questioned, while the prospective juror underwent continued questioning on the stand to determine whether he was qualified to serve on the jury.

The defense maneuver, based on a provision in Texas law which states that witnesses in a case cannot serve as jurors in the trial, was intended to eliminate from the jury all television witnesses to the Oswald slaying.

But Asst. Dist. Atty. A. D. Jim Bowie said the state would move to quash the subpoenas as soon as they were issued.

This is the point at which Judge Brown would make a ruling.

The mistrial motion came just before Judge Brown excused the seventh venireman because he said he had opinion about Ruby's guilt.

State's attorneys were forced to use one of their free challenges after defense lawyers had ques-

(Indicate page, name of newspaper, city and state.)

1 "The Dallas
Times-Herald"
Dallas, Texas

Date: 2-19-64
Edition:
Author:
Editor: Felix R. McKnight
Title:

Character:
or
Classification:
Submitting Office: Dallas
☐ Being Investigated

TOP CLIPPING
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tioned the ninth prospect, Frank Meza, 38, a warehouseman of 3813 Mount Everest.

NOT PREJUDICED

The potential juror had told Mr. Belli that he would not be prejudiced against the defense because of anything he had heard or read about the case, Ruby or the attorneys in the case.

He also said he had no prejudice against psychiatrists or persons who go to psychiatrists. After lengthy questioning, the defense passed Mr. Meza and the district attorney asked that he be excused without cause.

The mistrial was asked by Mr. Belli on grounds that the district attorney was influencing the minds of prospective jurors with statements, during questioning, about Ruby's part in the shooting of Oswald.

After the judge overruled this motion, defense attorney Tonahill renewed a motion for change of venue.

Mr. Tonahill based the motion on the defense's contention that the 53-year-old defendant cannot receive a fair trial because the "minds of people in Dallas County are saturated" with statements about Ruby's mental capacities and his involvement in the shooting.

The defense motions came during the questioning of J. A. Roper of 3724 Chapel Downs, a fire and casualty insurance agent. When asked about Ruby's guilt or innocence, Mr. Roper, asked the district attorney if he meant an opinion on something other than the fact that Ruby shot Oswald.

Mr. Belli said by pleading Jack Ruby not guilty the question of "who shot who, intent and capacity" were put squarely in issue and the district attorney could not tell a prospective juror there is no controversy about who shot

Judge Brown excused the first two jurors questioned Wednesday after the potential veniremen said they could not give the death penalty.

The questioning of jurors Wednesday was marked by heated exchanges over the issue of a juror's preconceived opinions on the case.

One particularly bitter outburst from the defense came in questioning the eighth prospective juror, Charles S. Toon, a Mesquite mail carrier. He first passed the "opinion test" by saying he could set aside any opinions he might have and accept only the evidence in court.

But later under examination by defense lawyers he admitted he might have expressed opinions "with the boys."

Judge Brown overruled the defense three times when they sought to have Mr. Toon disqualified on the opinion issue.

Then the judge asked Mr. Toon, "Do you have an opinion?"

The Mesquite man replied, "My opinion is Jack Ruby is guilty," and Judge Brown disqualified him.

I. Richardson, 36, of 4244 West Clarendon, said he had religious scruples against capital punishment.

Another possible member of the Ruby jury, Jesse R. Jones of Lancaster, also disqualified on the death penalty question being asked all prospective jurors by attorneys for the state.

Defense attorney Belli objected to disqualifying prospective jurors on the death penalty question, saying the Texas law would provide a jury made up of 12 persons all of whom affirmed their belief in the death penalty.

He contended this kept the jurors from having truly open minds on the case.

Before the first venireman took the stand, Judge Brown asked if the state and defense would agree to free a 450-member panel in the Central Jury Room from possible service in the Ruby case. Both agreed, and the judge held 130 remaining from a panel called specifically for the Ruby case Monday.

Judge Brown pointed out that if the 130 left are all questioned this week without a jury being selected, a new panel can be drawn from the regular body of veniremen reporting next Monday.

"I thought we did pretty good," Dist. Atty. Wade declared when Judge Brown recessed court at 5:16 p.m. Tuesday, after the fourth member of the jury panel had been excused.

The defense suffered a major setback Tuesday when Judge Brown refused to disqualify potential jurors if they witnessed Oswald's slaying on television. In addition, colorful West Coast attorney Belli was forced to use two of the defense's 15 tightly held peremptory challenges to keep the first two veniremen called from becoming members of the jury after the state had accepted them.

The prosecution retained all 15 of its challenges.

(Peremptory challenges are limited and used to disqualify potential jurors without cause. Both state and defense, however, have unlimited challenges for cause, which the judge may accept or reject.)

The only clear-cut victory for the defense came late Tuesday afternoon when attorney Phil Burleson, after extensive questioning, successfully challenged a young City of Dallas librarian because she had formed an opinion about the case. The state offered no objection to the challenge—the first such "opinion" disqualification won by the defense.

Mr. Belli steadfastly maintained that Ruby could not get a fair trial in Dallas. He said Judge Brown's many rulings in favor of the state during defense questioning was "blackboard proof."

Mr. Wade, as expected, disagreed.

"At this time it looks very good for a jury," he said confidently when Tuesday's court session ended. "I still think we can get a jury within 10 days to two weeks."

The fourth and last member of the jury panel to undergo questioning Tuesday was Mrs. Sherry G. Lundberg, of 9438 Webb's Chapel, a 22-year-old librarian in the city's main public library downtown and across from City Hall, where Oswald was shot to death.

Mrs. Lundberg, who said she had been married only six months, was quickly qualified by Mr. Wade for the death penalty ("no religious or conscientious scruples" against returning it), after taking the stand at 4:15 p.m.

She told the district attorney she and her husband, who works for an insurance company, do not have a television set at home.

She said she had no opinion as to Ruby's guilt or innocence, did not know the lawyers in the case and understood the legal test for insanity in Texas.

Mrs. Lundberg, under questioning by Mr. Burleson, said she had learned about the test in school in Atlanta, and then admitted seeing a televised recording of Lee Harvey Oswald's shooting while visiting the home of friends.

She told the defense attorney that from what she had seen on television, heard on radio and read in newspapers and magazines, she knew of the "facts" of the case and, specifically, that Jack Ruby shot Oswald.

Mrs. Lundberg was successfully challenged for cause and excused, because she had formed an opinion about the case.

"That's hard to say," she answered. "I saw it on TV."

The city librarian was preceded to the stand at 4:05 p.m. by advertising specialty salesman Jack E. Saunders, of 4428 Emerson, the third prospective juror called.

He was quickly challenged for cause by the state after stating he "did not particularly believe in the death penalty" and would hesitate to return it in a case.

"I'd rather not be responsible for a verdict which would take a man's life," Mr. Saunders said.

By afternoon, it had added up to a tough day for the defense.

Judge Brown had opened court at 9 a.m. in the old high-ceilinged room and Hilliard M. Stone, a technical illustrator for Ling-Temco-Vought, took the witness stand as the first prospective juror.

The state satisfied itself on Mr. Stone after only 13 minutes questioning. The defense took approximately three hours and then had to resort to using the first of its 15 valuable peremptory challenges.

The second prospective juror Tuesday, Mrs. C. C. Cherry of 3504 Amherst, took the stand and almost immediately qualified on the death penalty issue.

She also told the district attorney she could consider the full range of punishment from a suspended sentence, through two years to life in prison, or the death penalty in a murder case.

Then for the second time Tuesday the defense sought to disqualify a juror as a witness to the slaying of Oswald because of having seen it on television.

In contrast to Mr. Belli's almost soft-voiced question of the first veniremen, defense attorney Tonahill boomed questions in a deep bass voice.

He probed for a reaction from Mrs. Cherry to her viewing television reports from the basement of the police station on November 24, 1963.

"Did the slaying offend you so much you wanted to wipe it from your mind?" he asked.

"Not more than a lot of other things I have seen," Mrs. Cherry replied.

Judge Brown repeatedly upheld prosecution objections about any effect the TV report had on Mrs. Cherry, and Mr. Wade and Mr. Bowie both rose to object to defense contentions that Mrs. Cherry could recognize Ruby.



A WORD FOR THE PRESS

Hilliard Stone, center, answers newsmen's questions after being dismissed from jury duty in the Jack Ruby murder trial. The Irving illustrator spent three hours on the stand before defense attorneys used one of their peremptory challenges to strike his name.—Staff Photo.

KILGALLIEN HERE

Columnist Says Dallas Not Guilty

Syndicated columnist Dorothy Kilgallen said Wednesday she doesn't accept the theory that Dallas should feel guilty over what happened here in November.

Miss Kilgallen, in Dallas to cover the Jack Ruby murder trial, said, "If something happened in New York, where I live, I wouldn't feel guilty."

She added, "I don't see why the whole city of Dallas should feel guilty for what one man, or even three or five men in a conspiracy have done."

This is the television personality's second visit to Dallas.

Miss Kilgallen's column appears on The Times Herald's "Cavalier" page.

Wearing a white two-piece wool suit and a leopard blouse, the columnist said she would only be in Dallas until this weekend.

"I have to get back to New York for the television show 'What's My Line' on CBS and Channel 4) and I have to get my hair fixed Saturday afternoon," she said.

In addition to writing some columns from Dallas on the trial, she also will do some magazine articles for several European publications on the historic events in Dallas.

Miss Kilgallen is an old hand at covering trials. Her latest was the Profumo-Ward trial in London.

How do they compare?

"It's hard to compare them, really," she said. "This is the most important trial in our time. I doubt if the Ward trial will even get a line or two in the history books. But I must say, it was a colorful one. Some of the most outrageous things happened—and all of them unexpected."



KILGALLIEN ON HAND

Nationally syndicated columnist Dorothy Kilgallen discusses the Ruby case with defense attorney Melvin Belli, right, as they approach the courtroom in Dallas Wednesday. Miss Kilgallen is in Dallas to do several columns and magazine articles on the case. Another defense lawyer, Joe Tonahill, is in the rear.

Staff Photo by Eamon Kennedy.

Newsman's Mirth Not Easy in Mob

"Could a newsman get a fair trial in Dallas?" cracked the deputy sheriff.

Those newsmen whose noses and mouths were exposed to air laughed.

But it wasn't exactly a riotous thing, because it's difficult to laugh with an elbow in your ribs and a television camera in your ear.

The deputy's remark came during one of the lulls outside the courtroom where attorneys are seeking a jury to try Jack Ruby.

There may be 150 or so newsmen inside the courtroom at all times but there's an equal number outside, too—all wedged into a hallway space in front of the courtroom that could uncomfortably accommodate 50 or 60 people.

SPECTATORS TOO

The crowd is added to by the 50 to 75 spectators who come down to see the action. There has been room in the courtroom to handle most of them, but many just stay outside and watch the show.

Most of newsmen outside have still news cameras or microphones or huge television sound rigs in their hands.

They stand poised—if that's the word — to react every time the courtroom door opens.

The bright television lights come on when Ruby is brought in and out of the courtroom or when Judge Joe B. Brown makes his entrances and exits.

The defense entourage headed by Melvin Belli and Dist. Atty. Henry Wade's team also bring the lights on and the cameras clicking.

CLEAR PICTURES FEW

The irony of the mob scene is that few if any of the crushers get clear pictures of anything or intelligible words on their recorders.

"All I got was a mob," lamented one photographer.

"I'm sure I picked up only a lot of people yelling questions — but no answers," complained a radio man.

But the news business is a competitive enterprise and as long as one man maintains a post outside the door the others are sure to follow.

Even if they do end up just taking pictures of and talking to each other.

POSSIBILITY LOOMS

Ruby Juror Loss Mistrial Ground

What happens if they pick a juror for the Jack Ruby murder case and then one of the jurors becomes ill during the long trial and cannot carry on?

Should this happen, Dist. Judge Joe B. Brown would rule a mistrial and the case would start all over with a new jury, Dist. Atty. Henry Wade said Wednesday.

The district attorney explained that Texas courts, unlike federal courts and courts in many other states, have no provision for alternate jurors.

In many states one or two alternates are chosen for jury duty in lengthy cases.

In these states, the alternates hear the testimony and are locked up with the regular jurors but do not participate in the verdict unless a regular juror becomes ill, dies or is unable to serve for any other reason.

Mr. Wade said he cannot recall a juror becoming ill and unable to serve since he became district attorney here.

"But I do remember once when we were trying a death penalty case and a juror got sick in the jury box and fainted. He was

treated by a doctor and was able to continue," the district attorney said.

The district attorney said the State Bar Association has recommended alternate jurors and legislation was passed during the last session of the Texas Legislature for alternate jurors.

But during the last-minute confusion of the session the legislation was vetoed.

The district attorney said there is also the problem of what would happen if the judge or one or more of the attorneys should become ill during the case.

"You can substitute a judge but it would have to be by agreement between the opposing attorneys," he said.

He also said attorneys can be substituted if the problem should arise.

Asst. Dist. Atty. A. D. Jim Bowie pointed out that adding alternate jurors would create practical "problems" because facilities for jurors in Texas provide for only 112 persons. He said jury quarters have facilities for only 12 jurors and bailiffs and jury boxes have only 12 seats.

THOROUGH, TOO

To Deputies at Ruby Trial Frisking Is Really Fine Art

Capt. F. M. (Buck) Buckalew undoubtedly has felt more hip pockets than any other man in Dallas County history.

One of Sheriff Bill Decker's top men, the captain heads what has come to be known as the "frisking squad."

He and four other deputies — including two women — check and search everyone (well, almost everyone) who enters the courtroom where jury selection in the Jack Ruby Case is under way.

"We're looking for weapons, cameras and recording equipment," says the 17-year sheriff's office veteran "plus thermos bottles, cokes and food of any kind."

Capt. Buckalew has been on this duty through the bond hearing, the change of venue hearing and now the trial.

The only items confiscated to date are an unloaded pistol from an ex-stripper in one of Ruby's nightclubs, at the bond hearing and a harmless water pistol from a woman spectator last week at the second hearing.

The two women deputies, Mrs. Nellie Jo Tyler and Mrs. Rosemary Allen, did the confiscating in both cases.

The frisking technique is practiced by Capt. Buckalew's crew

is friendly, but firm, as any newsman who has been through it can testify.

All pockets are fingered, backs and shoulders are patted as well as legs, arms and armpits.

Newsmen, used to it by now, automatically throw their hands up over their heads immediately upon approaching the courtroom.

The only ones excused from searching are attorneys in the case, members of the district attorney's and defense staffs, visiting attorneys, police officers and prospective jurors.

While it's all business as far as the deputies are concerned, the frisking does take on comic aspects occasionally.

One newsman claims he got the frisk three times in one minute

Tuesday. Entering the courtroom, he was checked, then a few seconds later he left to deliver a message to a photographer and re-entered. Another frisk. He was barely seated when something in the testimony required him to leave again, deliver still another message, and then return—etc.

100 TIMES DAILY

Capt. Buckalew, 45, only chuckles when asked to estimate how many individual searches he and the other two male deputies, J. N. Sewell and W. D. Reese, have performed.

"I would imagine that I do it more than 100 times a day — and the other boys the same," he says, pointing out that there are usually two recesses a day, plus a noon adjournment.

And every newsman and spectator is searched with every entrance.

The captain, a friendly, pipe-smoking man who handled traffic coordination in the pre-Ruby days, said there has been no resentment of the frisking.

"We've had complete cooperation from everyone," he says.

How does the captain enjoy his unique duties?

"It's different. Yes, it's different, to say the least," he grinned.

Preconceived Notions Eyed In Ruby Trial

The issue of prospective jurors' preconceived notions about the Jack Ruby murder case came into sharp focus Wednesday as defense attorneys battled prosecutors over the qualification of jurors.

Heated exchanges between attorneys developed during the questioning of the eighth prospective juror, Charles S. Toon of Mesquite, who said he believed Ruby was guilty of murdering Lee Harvey Oswald.

"If this gentleman is qualified to serve as a juror in this case, then heaven help this court and this nation and all of us if we have to live under these standards," defense attorney Joe Tonaill said angrily.

After three times refusing to disqualify the venireman on the opinion issue, Judge Brown finally excused him.

Asst. Dist. Atty. A. D. Jim Brown argued that the Mesquite mail carrier could be qualified

under a ruling by the Texas Court of Criminal Appeals that a prospective juror could be retained if he "guessed" he had an opinion, so long as he said he could put the opinion aside.

Defense attorney Sam Brody drew from Mr. Toon the statement that he was upset at being deprived of knowing why Oswald shot President Kennedy by his slaying at the hands of Ruby.

The venireman also said he did not know if the assassination of the President was part of a Communist conspiracy or if Ruby was a Communist.

This brought the first defense request to strike the juror on the opinion issue.

The second objection came after Mr. Toon said he had "talked to the boys at work" about Ruby's guilt or innocence and possible Communist conspiracies.

The defense's third objection was registered when the venireman said: "I'm sure I have stated an opinion on the guilt of Jack Ruby. Well, according to the newspapers and television, it was commonplace that everyone thought Jack Ruby was guilty."

"My opinion is that Jack Ruby is guilty," he then said under questioning.

This brought on the angry statements of Mr. Tonaill and counsel Melvin Belli which resulted in the juror's disqualification.

RUBY CASE BAILIFF

Moving Right Veniremen To Court His Problem

So Mabray, bailiff in Judge Joe B. Brown's court, is proving himself an expert in logistics in handling prospective jurors for the Jack Ruby case.

His problem—getting the right venireman into the courtroom without delay from the sixth floor to the second floor and through the crush of reporters and photographers without mishap.

While Judge Brown holds court, the members of the jury panel spend their time in the Court of Civil Appeals on the sixth floor of the Records Bldg.

Rows of metal folding chairs are set up for their "comfort" as was done for the change of venue hearing for Ruby last week, when 17 witnesses occupied the same room.

To bring each prospective juror called for questioning to the second-floor court room, Mr. Mabray uses a field telephone to ring a sheriff's deputy assigned to duty on the sixth floor.

Members of the jury panel are assigned numbers for their order of appearance and Mr. Mabray calls the number he wants, and the deputy escorts the wanted veniremen by elevator to the second floor and through the corridors to the court room.

Photographers have been strongly cautioned not to photograph the prospective jurors on their way into court and reporters, under threat of being banished from the court house, have been told not to attempt to talk to members of the jury panel.

To avoid any delay in getting veniremen into the court room, Mr. Mabray keeps a backlog of about five waiting just outside the court room.

He has the first ones brought down before Judge Brown convenes court at 9 a.m.

Tuesday the bailiff placed two of the prospective jurors on a bench near the court room entrance with a deputy sheriff to watch over them. Three others were seated outside Judge Brown's regular court room, where the change of venue hearing was held.

The basic problem of Mr. Mabray is a matter of timing. He must judge by the way questioning is proceeding in the court room just how many veniremen he must keep on hand.

More than half of the veniremen who reported to the court of civil appeals Tuesday morning were released shortly after 10 a.m. with instructions to return in the afternoon. Following a lunch recess called by Judge Brown, some 50 of the panel were asked to remain and the rest were sent home to return at 9 a.m. Wednesday.

REPORT FROM FAMILY

Ruby's Bible Mentor May Be One of Deputies Guarding County Jail Cell

By JIM LEHRER
Staff Writer

The mystery man whom Jack Ruby credits with helping him find a new meaning in the Bible may be one of the deputy sheriffs who stands guard outside Ruby's isolated jail cell.

The Times Herald learned Tuesday that Ruby has told members of his family that one deputy in particular has provided the inspirational insight that, according to Ruby, has helped him to "grasp the true meaning of the Bible."

Sheriff Bill Decker, however, doubts it's one man.

"They're all talking about the Bible up there all the time," said the sheriff. "I've even talked religion with him."

In an interview before the change of venue hearing began last Monday, Ruby revealed that he was reading the Bible extensively. He said an unnamed Protestant (Ruby is Jewish) had helped him realize that men of different faiths can live and worship one God together.

"This has had a tremendous effect on me," Ruby told newsmen then.

The fact that the man may be one of Ruby's guards was brought to light later in the week when Mrs. Eva Grant, Ruby's sister, collared a uniformed deputy in the courtroom and said:

"Oh, you're the man whose been helping Jack read the Bible."

The deputy, obviously embar-

assed, mumbled, "I have nothing to say" and walked away.

The deputy in question is a regular patrolman who is on special assignment for Mr. Decker as a guard outside Ruby's cell in an undisclosed section of the Dallas County Jail.

He and several others have been the slayer of Lee Harvey Oswald's closest companions since Ruby was transferred to the County Jail from the City Jail on Nov. 25—the day after Oswald was shot.

"I think Mrs. Grant had the wrong man," Sheriff Decker told The Times Herald Tuesday. "He's (Ruby) been talking with all of the men up there, but as far as I know, no one any more than another."

The sheriff said Ruby has received a deluge of Bibles from people throughout the world.

"More come in every day or so," he said. "Last week a boy stopped up here in the courtroom and gave me a book called 'You and Your God'—and I passed it on to Jack."

As for direct contact from clergymen, Mr. Decker said Rabbi Hillel E. Silverman of Dallas' Congregation Shearith Israel, Ruby's own synagogue, has been the only one Ruby has seen.

5 More Rejected as Jurors At Ruby Trial, None Accepted

DALLAS, Feb. 19 (AP).—Five consecutive prospective jurors in Jack Ruby's murder trial were rejected today, making a total of nine.

So far, none of the candidates has been accepted.

The State exercised its first preemptory challenge—meaning that the District Attorney was not required to state his reasons—to reject the ninth candidate. He was Frank Meza, 38, a clerk.

In an angry assault on District Attorney Henry M. Wade's argument that the eighth candidate should be seated, assistant defense attorney Joe Tona-

ant defense attorney Joe Tona- "Heaven help this court and this Nation if we have to live under these conditions!"

"He (Wade) wants to exercise the laws of Communist Russia in this court."

Had Formed Opinion

Mr. Tonahill's outburst came during the examination of a postman, Charles S. Toon. Mr. Toon said he had an opinion as to whether Ruby was guilty of killing Lee Harvey Oswald. He said he had expressed it several times.

The defense promptly moved that he be excused for cause.

Mr. Wade, however, asked him if he could lay aside this opinion and be fair to both sides if he were seated in the jury. Mr. Toon said he could. It was at that point that Mr. Tonahill rose and assailed the District Attorney's position.

District Judge Joe B. Brown himself excused Mr. Toon.

The other three rejected today were J. I. Richardson, 35, a purchasing agent; Jesse R. Jones, 59, a foreman, and J. H. Roper, 41, an insurance man.

Red Angle Probed

Assistant defense counsel Samuel S. Brody went into the question of a "Communist conspiracy" in examining Mr.

Toon. Mr. Brody asked Mr. Toon:

"You are interested in knowing who was behind Oswald? "And whether the person who killed Oswald, Jack Ruby, perhaps was involved in a Communist conspiracy to silence Oswald?"

There were more prosecution objections and chief defense argue that the question of a conspiracy to kill the President is pertinent in determining Mr. Toon's state of mind.

After more wrangling and prosecution objections, Judge Brown excused Mr. Toon.

The two were J. I. Richardson, 35, a purchasing agent, and Jesse R. Jones, 59, a foreman.

Mr. Wade, in his usual introduction to questioning a prospective juror, said the State would ask that Ruby be executed in the electric chair, and he asked both candidates whether "you have religious or conscientious scruples against voting the death penalty."

Both said they do.

Wants Permanent Objection

Br. Belli, said he wished to make a permanent objection to excusing prospective jurors on grounds that they would not return a verdict of the death penalty.

"This leaves us with a panel

only of those with an affirmative state of mind on the death penalty," Mr. Belli said.

Mr. Wade had told reporters that Judge Brown and defense and State lawyers agreed before court today that if a jury cannot be obtained from the current panel of 750—plus 150 designated specifically for the Ruby trial—a new panel will be convened next week.

Normal jury duty in Dallas is for one week. Thus the court would dismiss those called for this week and start again with a new group of probably 650 prospective jurors.

Ruby Addresses Court

For the first time, Ruby stood up at Mr. Belli's request and addressed the court. It was on a minor technicality.

Judge Brown raised the question of the central jury panel which is composed of 750 prospective jurors, other than the 150 who are on call for examination as jurors in Ruby's trial. The judge said he believed it was agreeable to both sides that the remaining 750 be excused so far as this trial is concerned.

Mr. Wade promptly agreed. Mr. Belli rose and said, "Mr. Ruby affirms this individually." He then said, "Is that all right with you, Jack?" Ruby rose

Belmont ☒
Mohr ☒
Casper ☒
Callahan ☒
Conrad ☒
DeLoach ☒
Evans ☒
Gale ☒
Rosen ☒
Sullivan ☒
Tavel ☒
Trotter ☒
Tele Room ☒
Holmes ☒
Gandy ☒

Wade
Brody
Meza

The Washington Post and Times Herald _____
The Washington Daily News _____
The Evening Star ☒
New York Herald Tribune _____
New York Journal-American _____
New York Mirror _____
New York Daily News _____
New York Post _____
The New York Times _____
The Worker _____
The New Leader _____
The Wall Street Journal _____
The National Observer _____
People's World _____
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from his chair and said to the judge, "Yes, your honor."

After the first four prospective jurors, two men and two women, were dismissed yesterday, Mr. Belli said he is "finally and utterly convinced . . . that a jury cannot be had here."

But Mr. Wade said "two of the four actually did qualify."

Peremptory Challenges

The two to whom he referred were rejected by Mr. Belli on a peremptory challenge—meaning he was not required to say why he refused to accept them.

Ruby is charged with the murder of Lee Harvey Oswald two days after the assassination of President Kennedy in Dallas last November 22. Oswald had been accused of killing the President.

Ruby watched closely as the first jury candidates were questioned.

The words "death penalty" and "verdict of death" were spoken frequently. One woman jury candidate also spoke of a "death jury." Ruby fidgeted a little but on the whole sat still.

"He cringed every time death was mentioned," Mr. Belli said.

Ruby, operator of a Dallas strip club, seldom talks with anyone at the defense table. Entering and leaving the courtroom, he walks rapidly, looking neither to right nor left.

Ruby³ Defense Loses 2 Bids for Acquittal

By THEO WILSON
Staff Correspondent of THE NEWS

Dallas, Feb. 17—District Court Judge Joe B. Brown ruled today that former strip joint operator Jack Ruby must stand trial for the first degree murder of President Kennedy's accused assassin, Lee Harvey Oswald.

Only a few minutes after the opening here one of the world's most publicized trials, the judge rapidly turned down two motions for a directed verdict of acquittal asked by defense lawyers Melvin Belli and Joe Tonahill.

They based their motions on two grounds:

The 52-year-old defendant "did not commit a crime as alleged in the bill of particulars," because he was temporarily insane; he did not know right from wrong, and therefore could not be charged with the commission of a criminal act.

This trial would place him in double jeopardy because an "impartial" medical report, ordered by the court, showed Ruby was a victim of "psychomotor epilepsy" and had suffered organic brain damage. This finding, according to the defense, had already acquitted Ruby, since it showed he was temporarily insane. The court, in effect, was trying him twice with the present trial, the defense argued.

Proceedings Drag With Maneuvering

In a square courtroom in the Dallas County Criminal Courts and Jail Building, with ceilings 25 feet high, old-fashioned hanging fans whirling lazily above the heads of scores of American and foreign correspondents, Ruby's trial bogged down on its opening day with these and other legal maneuverings.

There was bickering among the defense and prosecuting attorneys, the lengthy process of frisking every person entering the courtroom, the even lengthier process of qualifying the first panel of 150 men and women summoned as prospective jurors.

In all, 900 Dallas County residents have been summoned to stand by for the jury selection. Ruby's attorneys contend they will never get an impartial jury here, because the "climate" of Dallas is one of guilt about Kennedy's murder. This guilt, accord-



(UPI Telefoto)

Sporting flamboyant coat, chief defense lawyer Melvin Belli enters court for his biggest case.

ing to Belli, will be turned against Ruby "to show the world that Dallas can cleanse itself of unlawful violence."

Today the first 150 prospective jurors were seated in a courtroom temporarily cleared of spectators and newsmen, because of space

Tolson _____
Belmont _____
Mohr _____
Casper _____
Callahan _____
Conrad _____
DeLoach _____
Evans _____
Gale _____
Rosen _____
Sullivan _____
Tavel _____
Trotter _____
Tele Room _____
Holmes _____
Gandy _____

Handwritten notes and signatures:
W. J. [unclear]
[unclear]
[unclear]
[unclear]

The Washington Post and Times Herald _____
The Washington Daily News _____
The Evening Star _____
New York Herald Tribune _____
New York Journal-American _____
New York Mirror _____
New York Daily News 3 _____
New York Post _____
The New York Times _____
The Worker _____
The New Leader _____
The Wall Street Journal _____
The National Observer _____
People's World _____
Date _____

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(Associated Press Wirefoto)
District Attorney Henry Wade
leaves court during recess.

reasons. During the mass qualifying of these veniremen, 15 women were excused under a state law which allows mothers of young children to be dismissed if the case requires jurors to be locked up.

Remaining Jurors To Undergo Tests

The remaining 135 jurors will return to the court building at 9 A.M. tomorrow, when individual examinations will start. Court was adjourned today at 1:30 P.M., immediately after lunch, so that Judge Brown could attend the funeral of R. L. Thornton Sr., the former mayor known as "Big

Dallas" and the leader of this city.

Ruby's defense team, headed by the elegantly-dressed, dramatic and brilliant Belli (who came to court carrying a plum velvet "carpetbag" and wearing a top-coat with a brilliant red lining) was on the receiving end today of denials from the judge and protests from the district attorney's men.

Besides losing the directed verdict motions, Belli also lost a request by the defense that all jurors be searched.

"The jurors will not be searched," Judge Brown said. "The record will show that everybody who comes into the courtroom was searched except the prospective jurors."

"Why?" asked defense counsel Joe Tonahill, a 6 foot 4, 245-pounder looming over the defense table.

"I object to his arguing over this," snapped assistant DA Jim Bowie.

Then Belli got into the act, arguing that the "excess of protection" will show the jurors the climate of Dallas towards Ruby.

"The judge will never know it unless you mention it, Mr. Belli," Judge Brown said drily.

The defense has been insisting that the trial should be moved somewhere else in Texas, because Dallasites, according to Belli, are ashamed not only over Kennedy's murder, but over the fact that a small-time operator like Ruby could get into a heavily guarded police station and kill Oswald before millions of TV viewers at a time when the attention of the entire world was focused here.

Judge Brown has reserved decision on this request for a change.

The trial will remain here unless it becomes apparent that getting an unprejudiced jury is absolutely hopeless.

Order of Court Is Informality

Before the court was opened at 9 A.M. the judge, in his black robes and puffing on a pipe,

walked around the counsel tables chatting with the defense lawyers and prosecutors. Then he ambled back to his chambers before making his formal entrance on the bench, which is recessed in a huge, ornately carved, 15-foot-high oaken nave.

Judge Brown, 65, his silver hair growing in a widow's peak, wears heavy-rimmed glasses, speaks slowly and deliberately, and runs a court which to New Yorkers is eye-popping in its informality.

The lawyers, reporters and spectators can smoke during sessions. District Attorney Henry M. Wade keeps a big unlit cigar in his mouth.

There is a lot of first-naming among the counsel. The judge is Joe Brown, not Joseph. The assistant DA is Jim Bowie. The defense counsel is Joe Tonahill. The chief assistant D.A. is Bill Alexander, not William.

Treats Spectators As Personal Guests

When the judge wanted the courtroom cleared so that the first jury panel of 150 could be brought in to be instructed and qualified, he addressed the spectators and reporters as if they were guests in his living room, telling them he would "appreciate it if you would just step out" for awhile to make room for the jurors.

Although every person coming into the courtroom is frisked, as part of the security presumably needed to safeguard Ruby, during one of the morning recesses reporters clustered around the defendant, separated from him only

by a low wooden railing. One reporter shook hands with Ruby, who then conducted a chatty interview.

He said he awoke at 6 A.M. today, "an hour earlier than usual" and had oatmeal, milk, toast and instant coffee—"I won't tell you the brand, I don't want to give a commercial."

Guard Interprets The Bible for Him

He spoke about reading the Bible, which he said is being interpreted for him by a Protestant guard. Ruby said he was reading the Old Testament and, with the guard's "interpretation's" he was getting a "new understanding and love of God."

When the 900 white cards—about twice the size of playing cards—bearing the names of the prospective jurors were brought into the court, Judge Brown personally shuffled them, like a dexterous, oldtime gambler.

After a few minutes of this, the judge asked: "is that sufficient, Gentlemen?" and Belli said: "Yes, Your Honor."

Every newsmen entering the big pale green courtroom on the second floor must wear two badges, one showing he has a courtroom seat, the other bearing his photo and identification.

Ruby's Sister Sits In Back of Room

Reporters were frished every time they left the courtroom and returned. THE NEWS reporter, who was in and out several times during the recesses, was searched by one or the other of the two women deputies about eight times. (Women deputies in Dallas have very cold hands.)

Ruby's sister, Mrs. Eva Grant, a nice-looking, auburn-haired woman, was seated in the back

of the courtroom on one of the ~~women~~ benches reserved for spectators. She nervously came up to consult her brother's lawyers several times, once bringing them papers from a briefcase.

Mrs. Grant was one of about 50 spectators who managed to get into the courtroom. The other 150 seats were occupied by reporters from the U.S., England, Czechoslovakia, Poland, France, West Germany, Sweden, Denmark, Australia, Canada and Italy.

All newsmen were locked out of the courtroom while the first jury panel was receiving instructions before the individual questioning was started.

It took almost 90 minutes for this first panel to be qualified, after which the judge called the luncheon recess.

During the morning session, Ruby sometimes consulted with his lawyer, sometimes put on horn-rimmed spectacles and read some of the legal papers.

Appears to Have Lost Weight in Jail

Reporters who knew him before the shooting say he has become thinner since his imprisonment. He is balding, sallow, sunken-eyed, and although he is close-shaven, his cheeks are blue from his heavy beard.

When he first walked into the courtroom, in a neat dark blue suit, he looked around nervously at the mob of seated newsmen, then stood with his back to them, facing the bench, his hands in his pockets. He is very conscious of the reporters. His eyes flicker towards them during the recesses as they cluster behind the railing near the defense lawyers.

He leaves the courtroom protected by four uniformed but unarmed guards, who form a diamond around Ruby and rush him through the corridors to the prison elevator. The same building where Ruby is being tried has jail-cells on the upper floors.

LEG 19 3 55 PM



(UPI Telefoto)

With cameras focussed on him, Judge Joe Brown enters courtroom in Dallas to preside at opening of the Ruby trial

SEP 13 1963

(Mount Clipping in Space Below)

Mr. Tolson _____
 Mr. Belmont _____
 Mr. Mohr _____
 Mr. Casper _____
 Mr. Callahan _____
 Mr. Conrad _____
 Mr. Felt _____
 Mr. Gale _____
 Mr. Rosen _____
 Mr. Sullivan _____
 Mr. Tavel _____
 Mr. Trotter _____
 Tele. Room _____
 Miss Holmes _____
 Miss Gandy _____

RAF

Judge Denies Defense Plea For Acquittal

Jury Selection to Begin In Murder Trial of Ruby

0 By CARL FREUND

The Jack Ruby murder trial opened here Monday, but attorneys ended the day where they started—still needing 12 jurors.

Judge Joe B. Brown spent the morning session rejecting defense pleas and listening to excuses of potential jurors. He decided against an afternoon session and joined other courts in closing as a tribute to Robert L. Thornton Sr., former Dallas mayor who died Saturday.

As a result, lawyers have yet to question their first prospective jurors.

That will come Tuesday morning.

Judge Brown told reporters he was pleased with progress made Monday "in disposing of the preliminaries."

THE JUDGE commented:

"We've got the preliminaries out of the way. Now we can get down to the serious business of selecting the jury."

The jury must decide whether

(Indicate page, name of newspaper, city and state.)

1 "The Dallas
Morning News"
Dallas, Texas

Date: 2-18-64
 Edition:
 Author:
 Editor: Jack B. Krueger
 Title:

Character:
 or
 Classification:
 Submitting Office: Dallas
☐ Being Investigated

74 FEB 28 1964

File
6-AM7

Ruby committed murder when he shot Lee Harvey Oswald in the City Hall basement Nov. 24.

Oswald died only two days after his arrest as the prime suspect in the assassination of President Kennedy.

DIST. ATTY. Henry Wade contends Ruby pulled the trigger in the mistaken belief he would win "fame and fortune" by killing Oswald. As a result, Wade says, Ruby should die in the electric chair.

Defense lawyers say Ruby suffered from a mental illness which caused him to "act like a robot" without realizing what he was doing. They say he should stay in a mental hospital until cured of his illness.

In fact, they told Judge Brown as the trial opened Monday, he should rule Ruby insane and throw out the murder case.

First Assistant Dist. Atty. A. D. Jim Bowie jumped to his feet with an objection.

"Judge, there is no procedure for this," Bowie said.

JUDGE BROWN agreed and said the question of Ruby's sanity is a matter for the jurors to decide.

—Other developments:

—Officers jailed a 39-year-old Oregon man who carried a 32-caliber automatic pistol into the district attorney's office and "talked incoherently" there about the Kennedy assassination and the Oswald slaying.

—Defense attorney Tom Howard of Dallas received permission to withdraw from the case, but refused to comment on reports that dissension within defense ranks led to his decision. Howard would say only that he "remains on friendly terms" with the Ruby family and defense lawyers.

—A DEFENSE lawyer, Joe Tonahill of Jasper, said Dr. Martin Towler of John Sealy Hospital in Galveston believes Ruby "suffers from organic brain damage and psychomotor epilepsy and is therefore innocent." Assistant Dist. Atty. William F. Alexander termed Dr. Towler "a psychiatrist employed by defense lawyers."

—Melvin Belli, the chief defense lawyer, told reporters that "our rooms have been bugged, our briefcases gone through and our telephones tapped." Wade termed this statement "another attempt by Belli to get publicity."

RUBY CASE

Picture Yourself Called for Jury

By LEWIS HARRIS

Think of yourself as one of the 900 prospective jurors in the Jack Ruby case.

You may be a baker, a barber, a housewife, a banker or any other day-by-day person.

But now you are suddenly a minute particle of history in the making.

You seat yourself in the witness stand—directly under an unfurled Texas flag — before a packed courtroom.

Most of the 250 spectators are reporters, poised to record your every word, every reaction.

To your right sits the defendant, dark, brooding Jack Ruby, self-appointed executioner of Lee Harvey Oswald, accused assassin of President John Kennedy.

Clustered around Ruby are his attorneys. Chief of these is silver-thatched Melvin Belli, a man who uses words like a scalpel.

Belli is determined to cut away at anything he feels will keep him from gaining his client's freedom.

To the left sits somber, benign-looking Dist. Atty. Henry Wade, who is just as determined to put Ruby in the electric chair.

Did you see the Oswald shooting on television? Have you formed an opinion about the case? Have you discussed the case?

In fact, didn't you tell "John Jones" that you thought Ruby had disgraced Dallas, and that the electric chair was too good for him?

So the questions will go. Belli and his staff have done everything possible to find out as much as they can about each prospective juror.

The old-fashioned ceiling fans are revolving at full speed. But it still seems hot and stuffy.

Then it's the state's turn. Can you lay aside any opinions you may have and reach a verdict strictly on the evidence? Is there any reason why you couldn't assess the death penalty?

On and on it may go. Belli has indicated that he may take as much as a full day to examine a single potential juror.

Fifteen women, eligible to be excused under a ruling that women with children under 16 do not have to serve on juries, gladly took the out Monday morning.

The first three veniremen to be called Tuesday in order, will be Hilliard Stone of Irving, Mrs.

C. C. Cherry and J. E. Emerson, both of Dallas.

All they needed for this chance at a \$5-a-day change in routine was to have their names on some

convenient list, such as the county's poll tax register or other taxpayer rolls.

The names were picked at random two weeks ago from the jury

TALKS OF J.F.K.

Man Seized With Pistol 'Incoherent'

Officers jailed a 39-year-old Oregon man Monday after he walked into the district attorney's office with a loaded pistol and "talked incoherently" about the assassination of President Kennedy.

Sheriff Bill Decker identified the prisoner as David Conrad Glass of Beatty, Ore.

He was charged with illegally carrying a weapon after officers found a loaded .32-caliber automatic while searching him.

The suspect mumbled about the slaying of Lee Harvey Oswald by Jack Ruby, who is standing trial on a murder charge.

Decker said, however, that he does not believe Glass intended to shoot Ruby.

"I think Glass needs a psychiatric examination," Decker said. "His answers didn't make sense."

Glass made statements which aroused suspicions of Assistant Dist. Atty. Doug Walsh. Police Lt. Jack Revel, who was nearby, took the suspect into custody and turned him over to county officers.

Decker said he did not know why Glass was here.

"I've wired and written Oregon authorities for something on the man, and that's all I know about him," said Decker.

At the time Glass was arrested, officers had returned Ruby from his courtroom seat to his county jail cell.

Indictment Reads Jack Rubenstein Alias Jack Ruby

Judge Joe B. Brown referred to the case before his court Monday as "The State of Texas vs. Jack Rubenstein, alias Jack Ruby."

That's the way it is styled on the indictment which grand jurors returned against the 52-year-old night club manager accused of murdering Lee Harvey Oswald.

Grand jurors returned the indictment before they knew the slayer had legally changed his name to Jack Ruby.

Prosecutors say they're willing for Judge Brown to change the indictment so that it reads simply "The State of Texas vs. Jack Ruby."

But, they say, it's up to defense lawyers to request the change.

Ruby Trial Gets Brief Tass Note

MOSCOW (AP) — Tass reported the opening of the trial of Jack Ruby in Dallas Monday as follows:

"The trial of Jack Rubinstein (Ruby), who shot Lee Oswald on Nov. 24 last year, began at Dallas, Tex., today. The court rejected the demand of the defense counsel for the immediate closing of the trial due to the 'insanity' of the defendant and began selecting the jury members."

Wade Says Belli Charge Of Bugging 'Foolishness'

"Foolishness," said Dist. Atty. Henry Wade Monday of Melvin Belli's complaint that his hotel rooms have been bugged and his telephone lines tapped.

Belli is chief defense counsel for Jack Ruby, now on trial for murder in the shooting of Lee Harvey Oswald.

"It's just an effort on Mr. Belli's part to get more publicity," said Wade.

"If his room was bugged, maybe he bugged it himself. I can tell you that we didn't.

"I'm not even curious about what's going on in his hotel room," snapped the district attorney.

Both Belli and Joe Tonahill, another Ruby lawyer, insisted Monday that someone had eavesdropped while defense attorneys

mapped courtroom plans in their hotel rooms.

Belli said when Ruby lawyers became aware of an information leak they began purposely tossing around inaccuracies in their conversations.

"We planted stories and they came back to us in such a way that there was no other explanation," said Belli.

Neither Belli nor Tonahill would say that any wires, listening devices or recorders had been discovered.

"It happened at the Cabana and then at the Adolphus and later at the Statler Hilton," said Belli of the alleged bugging.

"We've stopped it now," he added. "We got an electronics expert to help us."

Belli wouldn't tell what method was used to thwart any future attempts at bugging conversations of defense lawyers.

A man familiar with electronics said a background noise of some kind—even a radio playing—can often defeat bugging efforts if voices are low.

Earlier, defense attorneys had complained that the briefcase of one of their witnesses was rifled during Ruby's bond hearing.

Belli said somebody broke into the briefcase of Dr. Roy Schafer, a Yale University psychologist, in a Dallas hotel room.

"If the bugging doesn't stop," said Belli, "Tonahill's going to bring in an old wigwam of his and we'll live in it."

Reporters Question Tag Of 'Trial of Century'

Can the Jack Ruby murder case be properly called "The Trial of the Century?"

Some reporters have already tagged it that way. Others question it.

"It's one of the big ones," said Charles Murphy of NBC. "It'll be in the same category with the Sacco-Vanzetti and Scopes trials."

"I've used the term 'Trial of the Century,' but I've always said 'some people' are calling it that," said Nelson Benton of CBS.

ABC's Murphy Martin said, "It will certainly be one of the top five for this century."

Homer Bigart of the New York Times reminded: "The century ain't over."

AP's Reiman Morin said, "This is the first one I can think of where you have a murder case with national implications. In that sense, the term might fit."

"The fact that a presidential assassination is involved gives the case a dimension that some other highly publicized cases have lacked."

"I suppose the Ruth Snyder or Hall-Mill-Lindbergh kidnaping trials may have equaled this one in drawing the public's attention."

Morin looked over the 125 reporters in the courtroom and said, "I believe this is the maximum number of reporters I've seen in a courtroom for any case. Probably more reporters worked on the Eichmann case, however."

Hearst's Bob Considine said, "If this were Oswald on trial, there would be no doubt about it. This would be the 'Trial of the Century.' But the only suspense here is whether or not they can prove he's whacky."

"Suspense in this case will be mostly limited to watching Belli weave his defense to the satisfaction of the jury."

English author Sybille Bedford, who is writing the Ruby trial for Life magazine, said, "The 'Trial of the Century'? I don't think it will go down in history as such."

"Most people have no doubt at all about the deed. In fact, many people think they witnessed it. But you did not see Ruby shoot Oswald."

As a contender for "Trial of the Century," she mentioned the case of the Belgian mother who killed

her own Thalidomide-deformed infant.

Al Moscow, who ghost-wrote Richard Nixon's "Six Crises," and is now becoming defense counsel Melvin Belli's Boswell, indicated he wouldn't argue with use of the term. But he added:

"However, they come along every so often. Wait a few months and there'll be some other 'Trial of the Century.'"

—KENT BIFFLE.



LEE HARVEY OSWALD WITH WEAPONS

Seven months before the death of President John Kennedy, Lee Harvey Oswald posed in Dallas with rifle, pistol and newspaper. Police say the same rifle killed the President. The

pistol allegedly killed Dallas patrolman J. D. Tippit. Oswald, holding a copy of The Militant, a Trotskyite newspaper, set the camera so his wife, Marina, could take the picture.

★ JUDGE HAS CHEST COLD

Judge Joe B. Brown was plainly out of sorts Monday.

"Anybody join me in a Bulerin?" he asked reporters crowding around his bench.

"I've got a chest cold," he explained.

But after popping some pills in his mouth and asking a secretary to bring him some "branch water," his mood failed to improve much.

Just before noon he ordered cameramen not to take any more pictures of him.

One didn't hear. NBC's James R. Davidson was grinding away. The judge bawled out Davidson and then went to lunch.

His spirits improved after lunch. He looked up Davidson in the press room and apologized. Davidson said he was sorry it happened.

Ruby, Lawyers Confer 3 Hours

Defense lawyers and Jack Ruby conferred for three hours Monday in his county jail cell.

The lawyers would not say what they discussed.

They went to the cell after the first day of Ruby's murder trial ended.

★ BROWN, BELLI GET MESSAGES

Judge Joe B. Brown and defense lawyers got telegrams shortly before the Jack Ruby murder trial opened Monday.

A wire to Judge Brown called Ruby's shooting of Lee Harvey Oswald "a cold-blooded murder."

Belli's telegram criticized him for what the sender termed "grandstanding and unlogical, obnoxious tactics" and said the assassination of President Kennedy here was "not of Dallas' making."

Defense Reports Test Showed Brain Damage

A Galveston psychiatrist believes a "brain wave" test shows Jack Ruby suffered organic brain damage, defense lawyers told Judge Joe B. Brown Monday.

The psychiatrist, Dr. Martin Towler of John Sealy Hospital, was one of three who analyzed results of neurological tests given Ruby in a Dallas clinic Jan. 28-29.

A defense lawyer, Joe Tonahill of Jasper, said Dr. Towler's report supports their contention that Ruby suffered from a form of epilepsy marked by "explosive conduct of a violent nature."

Assistant Dist. Atty. William F. Alexander later charged that defense lawyers tried to paint a false picture of Dr. Towler's status.

"They want people to think he is a psychiatrist for the court, but he isn't," Alexander said. "He is a psychiatrist for the defense. He was hired for the defense."

Tonahill said Dr. Towler consulted with an Illinois specialist before preparing his report.

"They are in agreement," Tonahill added.

Tonahill made no mention of two Dallas psychiatrists who also analyzed results of the tests. They are Dr. John Holbrook of Beverly Hills Hospital and Dr. Robert Stubblefield of Southwestern Medical School.

Dr. Towler represented the defense; Dr. Holbrook, the prosecution; and Dr. Stubblefield, Judge Brown.

The Dallas News reported at the time that informed sources told it:

— Dr. Towler requested a second electroencephalographic (brain wave) test in which electrical impulses are measured.

— Dr. Holbrook and Dr. Stubblefield concluded Ruby had not suffered organic damage which could have led him to kill Oswald, but Dr. Towler said he wanted to consult with a specialist before announcing his diagnosis.

Defense lawyers termed the report inaccurate.

Prosecutors refused to comment Monday on findings of Dr. Holbrook and Dr. Stubblefield, but did say they still believe Ruby was legally sane when he shot Oswald.

A.P. MAN REPORTS

Justice's Wheels Grinding Slowly In Ruby's Trial

Editor's Note: One of the many out-of-town reporters in Dallas for the Jack Ruby trial is Sid Moody of the Associated Press. His view of the trial's first day, as distributed to newspapers and broadcast media over the world, follows:

By SID MOODY

Associated Press Writer

The wheels of justice ground exceedingly slow as the trial of Jack Ruby drew its beginning.

At times the courtroom and adjacent halls in the Records Building resembled a cattle drive as lawyers, jurors, spectators, cameramen and reporters shuffled to and fro. But Dist. Judge Joe B. Brown wasn't going to be rushed.

"I've got four years left in my term," the calm-voiced jurist told reporters, as they crowded around him during a recess.

But life in the 200-seat courtroom was stirring early. Long before the 9 o'clock starting time, reporters were on hand. A secretary bustled in and slipped a box of tissue under the judge's bench.

One of the two court stenographers, a trim woman in a blue dress, slid into her seat, pushing aside two wide-brimmed Texas hats that had been left on the desk. A bright plaid coat hung informally over the rail in front of her. She rubbed her hands and cracked her knuckles and pulled out a pen. She was ready.

"Get me some more of that branch water," Judge Brown asked an attendant. A green canteen was put on his bench as reporters filed in, wearing their double identification badges. Uniformed sheriff's deputies frisked them.

Then, suddenly, Melvin Belli, Ruby's flamboyant defense counsel, was there. He tossed his red velvet satchel — a gaudy item that looks like something you'd find lashed atop a stagecoach — rather than in a courtroom—onto the table. He whirled his black, red-lined coat with the velvet collar off his shoulders. He put his reading on the desk: A copy of a book called "The Decision-Makers: The Power Structure of Dallas."

A box of cough drops followed (Belli is somewhat of a walking medicine cabinet. Later he pulled a tin of aspirin from his pocket and popped a pill in his mouth. Straight, no water.)

Ruby came next, flanked by plainclothes security guards. His face was pallid. He said he'd been up since 6 and had a good night's sleep. But he looked tense. "Hello," he said to a reporter, and leaned forward to shake his hand over the railing. "I got one friend here at least."

As the clerk of the court opened the session, Ruby stood with his hands clasped behind him looking straight ahead. His eye could take in the American flag above the judge's right and the Lone Star banner of Texas to Brown's left.

There was only a handful of spectators in the back rows. One man said he'd dropped in for a moment. He had no trouble getting in — just wanted to see what was going on before starting his day's work.

"The people will show up Tuesday," said an attendant. "They know ain't nuthin' goin' on the first day."

Judge Brown, though, thought there was one surprise, at least. During a recess, after Belli had asked for a directed verdict of acquittal, the judge said:

"This is the first time I ever heard of doing that before the jury's even selected."

"Did you dwell very long on overruling him?" he was asked.

"Yeah, I dwelled a long time on that," the judge smiled. All of half a minute.

So it was mostly a day for getting started, for getting bearings, for sizing up.

Looming diagonally across the street, never far from behind if sometimes out of sight, is the Texas School Book Depository, from which police say Lee Oswald fired the shots that killed President Kennedy.

The courtroom itself is a honey chamber, far closer to real life than the mahogany room where TV's Perry Mason explodes his wizardry. Overhead, eight ancient, wide-bladed fans windmill languorously in the cigarette smoke.

The plain wooden furniture is nicked and scraped. The stuffing is coming out of the back of one of the defense's chairs, an inelegant contrast to the meticulously upholstered Belli. A dead cigar sticks out of a spittoon by a leg of the prosecutor's table.

High up on the wall behind the judge is a painting of Liberty, a fully developed woman garbed in a skimpy robe who is awkwardly holding a flaming torch at arm's length as though she was afraid the smoke would get in her eyes. Across from her is a painting of Justice, another ample lady holding a scale.

'10 Day Two Weeks'

Delay Seen on Ruby Jury

DALLAS, Feb. 18 (UPD)—District Judge Jow B. Brown indicated today it will probably take 10 days to two weeks before a jury can be assembled for the Jack Ruby murder trial.

He made the statement as the qualification of jurors continues.

Meanwhile, defense attorney Melvin Belli for Ruby, on trial for slaying the accused assassin of President Kennedy, said he was "pretty sure he can show by Friday" that a fair jury "can't be found here."

"The city has to vindicate itself—the city feels it's on trial," he stated.

He said he planned to delve "into the very gizzard of the subconscious of each chaired venireman."

ARGUMENT

Yesterday, Mr. Belli and his staff argued Ruby should be found innocent by the court because a brain test shows he was insane at the time. Judge Brown denied this.

They also argued for acquittal on the ground the case already has been decided in view of a report by a court-appointed psychiatrist. But Judge Brown also denied the request and ordered the trial to proceed.

Ruby was in good spirits, yesterday when court proceedings started and Judge Brown sent for a panel of 150 prospective jurors. The court questioned the jurors, white and Negro, men and women behind closed doors. Fifteen women were excused.

The first of 15 prospective panelists, three of them women, were ordered to appear in court today for questioning.

REVEALS REPORT

J. H. Tonahill of Jasper, Tex., of Ruby's defense team, disclosed part of the sealed report on a court-ordered brain examination performed on Ruby.

The court had arranged the examinations with Dr. Martin Towler of the Titus Harris Clinic at John Sealy Hospital in Gal-

veston. He is a neuro-psychiatrist and a medical school professor. He and two other physicians made the examinations two weeks ago.

"The impartial report of Dr. Martin Towler and confirmed by Dr. Fredric Gibbs (of the University of Illinois Medical School) shows that he was suffering from organic brain damage and psychomotor epilepsy and is therefore innocent," Mr. Tonahill said.

"Therefore, this is double jeopardy."

ORDERS REPORT

Judge Brown has ordered a preliminary report from the physicians sealed lest it prejudice prospective jurors by becoming public.

After Judge Brown rejected the motion for acquittal on mental grounds, neither Messrs. Belli nor Tonahill would say more about the report. They even refused to repeat for newsmen what Mr. Tonahill said in court about it.

The report is a vital factor in the defense case. At a bond hearing, defense specialists argued that Ruby suffered psychomotor epilepsy which is characterized by "blackouts" and impulsive acts.

Armed Man Taken Near Trial Room

DALLAS, Feb. 18 (UPD) — A pistol packing Oregon lumberjack, who mumbled incoherently about the Jack Ruby murder trial, was held today by Sheriff Bill Decker on charges of carrying a concealed weapon.

David Conrad Glass, 39, of Beatty, Ore., was arrested yesterday in the Hall of Records, next door to the Dallas County Courthouse where Ruby's trial for killing Lee Harvey Oswald is being held.

Sheriff Decker said Mr. Glass walked into the district attorney's office and asked "what can you tell me about this guy, Jack Ruby." An assistant in the office called officers who found the pistol.

Tolson _____
Belmont _____
Mohr _____
Casper _____
Callahan _____
Conrad _____
DeLoach _____
Evans _____
Gale _____
Rosen _____
Sullivan _____
Tavel _____
Trotter _____
Tele Room _____
Holmes _____
Gandy _____

JACK L. RUBY
LEE HARVEY OSWALD -
VICTIM
CR

BUFILE: 44-24016

The Washington Post and Times Herald _____
The Washington Daily News p.4 _____
The Evening Star _____
New York Herald Tribune _____
New York Journal-American _____
New York Mirror _____
New York Daily News _____
New York Post _____
The New York Times _____
The Worker _____
The New Leader _____
The Wall Street Journal _____
The National Observer _____
People's World _____

Feb 18 1964

NOT RECORDED

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68 FEB 20 1964

GENERAL INVESTIGATIVE DIVISION

2/17/64

This appears to be an attempt by Belli to obtain publicity.

The Bureau does not have any technical surveillance on Belli and has no knowledge of any such surveillances. Neither Belli nor any of the other attorneys have made a complaint to the Bureau about any wiretapping.

We are not taking any action.

8

Ryan Q

Tolson ☒
 Belmont ☒
 Mohr ☒
 Casper ☒
 Callahan ☒
 Conrad ☒
 DeLoach ☒
 Evans ☒
 Gale ☒
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 Sullivan ☒
 Tavel ☒
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 Tele Room ☒
 Holmes ☒
 Gandy ☒

TRIAL OPENS WITH QUESTIONING OF JURORS

Ruby Lawyer Charges Phone Bugging

DALLAS, Feb. 17 (UPD)—Defense lawyer Melvin Belli chose the opening of the Jack Ruby murder trial today to allege that his hotel room and telephones have been "bugged" by somebody or other.

"My phone has been bugged, room has been bugged," he said. "that's the reason we've been working away from here." The statement was made at the end of an interview in Mr. Belli's hotel.

He and his assistants have been working elsewhere preparing for the questioning of prospective jurors in a town whose image—he says—"is that is has to vindicate itself."

QUESTION

After his brief utterance about the "bugging"—a word that could denote wire taps on phone lines and microphones hidden in rooms—a reporter asked if he had positive proof.

Mr. Belli turned to his chief assistant, Joe H. Tonahill, a big, bluff, skilled courtroom attorney from Jasper, Tex., and said:

"Joe?"

Joe said that they had pretty good proof.

"Whos's doing it?"

There was no reply from Messrs. Belli, Tonahill, nor Philip Burleson, another associate defense attorney.

That was the end of the discussion about bugging.

Mr. Belli—a man so skilled in the medical nuances of the law

KNEW TACK

THAT HIS CRONIES CALL HIM "Doc"—today was on a new tack: trying, by actually quizzing prospective jurors, to convince a down-to-earth judge that Dallas is sick with a fever of subconscious guilt.

It's a fever that permeates the citizenry so thoroly, he contends, that they rendered unfit to sit in judgment on the killer of the man accused of killing John F. Kennedy.

That is the announced intention of the chief defense counsel for Ruby, as the long-awaited murder trial came up to opening today with the defendant increasingly edgy.

JACK L. RUBY
LEE HARVEY OSWALD - VICTIM
CR

BUFILE: 44-24016

The Washington Post and Times Herald _____
 The Washington Daily News *p. 1* _____
 The Evening Star _____
 New York Herald Tribune _____
 New York Journal-American _____
 New York Mirror _____
 New York Daily News _____
 New York Post _____
 The New York Times _____
 The Worker _____
 The New Leader _____
 The Wall Street Journal _____
 The National Observer _____
 People's World _____
 Date **FEB 17 1964**

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JURY SELECTION

Jack Ruby Trial To Start Monday

Balding, squat Jack Ruby goes on trial for his life Monday for the bizarre slaying of Lee Harvey Oswald, Marxist and accused assassin of President John F. Kennedy.

Dist. Atty. Henry Wade made last minute preparations, calling in the entire staff of the district attorney's office for a briefing on the trial.

Their ranks reduced by one, attorneys for the Dallas night club operator spent Saturday in secret conferences, plotting defense strategy at the Southern Methodist University Law Library.

As the actual trial neared, ranks of the defense suffered a split as Dallas attorney Tom Howard withdrew from Ruby's defense team.

The Dallas attorney—the first lawyer to come to Ruby's aid—announced no reason for his withdrawal. He only said he no longer wanted his name connected with the defense.

TRIAL BEGINS MONDAY

Jury selection for Ruby's murder trial begins before Judge Joe B. Brown at 9 a.m. Monday. The defense says the questioning will last only a few days before it becomes obvious a fair jury can not be secured. Mr. Wade has said in two weeks a qualified jury will be selected.

The defense effort to move the trial from Dallas County failed Friday when Judge Brown announced he would first attempt to secure a jury in Dallas. The judge reserved the right to move the trial if after examination of potential jurors it should become

apparent a fair trial can not be secured in Dallas.

Headed by San Francisco attorney Melvin Belli, the battery of defense lawyers claimed that Dallas' leadership saw in Ruby a scapegoat — a man whose conviction would temper the wounds suffered by the city when the President was shot to death Nov. 22.

Intense publicity in Dallas, they contended, make it impossible to find a fair jury in the city. The state countered that the same intense publicity could be found throughout the state — and the nation — and an attempt to empanel a jury should be made in Dallas.

Examination of the potential jurors promises to be exhaustive with the defense admittedly attempting to run through the initial 125-member panel—and more—in an effort to move the trial from Dallas.

TELEVISION ANGLE

It is probable that most of the potential jurors were among millions of television viewers who saw Ruby step from a crowd in the Dallas City Hall basement and trigger a shot into the chest of the handcuffed accused assassin of President Kennedy.

Also probable is that any prospective juror read of the slaying and saw on-the-spot photographs of the slaying—one snapped during the split second of the slaying.

(Indicate page, name of newspaper, city and state.)

1 "The Dallas
Times-Herald"
Dallas, Texas

Date: 2-16-64

Edition:

Author:

Editor: Felix R. McKnight

Title:

Character:

or

Classification:

Submitting Office: Dallas

☐ Being Investigated

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ing by Times Herald photographer Bob Jackson—in newspapers or magazines.

But Mr. Wade is certain to invoke recent ruling of the Texas Court of Criminal Appeals which say a juror is not necessarily disqualified because of what he read or saw in the various news media.

JURY EXAMINATIONS

Jurors will be examined individually by opposing attorneys, a process that could run well into two weeks if a jury is selected at all.

A key portion of the trial, wherever it is held, will be the confidential report of three doctors who performed neurological tests on Ruby in January.

That report is in the custody of the court and Judge Brown has refused to disclose the results—adding a warning to newsmen not to speculate on the results.

The judge said he had warned attorneys on both sides not to reveal information on the report.

Nevertheless there has been published speculation on the results of the examination. Among these public reports were one which alleged that Ruby had "no significant brain damage" and another that said the examination showed a "two-to-one" disagreement between the three doctors

that Ruby was legally insane at the time of the slaying.

The testimony in Ruby's trial will likely take another two weeks. Mr. Wade said the state's case will take only one or two days. Mr. Belli has said the defense will need a week or 10 days to present Ruby's case. Final arguments and rebuttal testimony could take another two or three days.

An estimated 300 newsmen from throughout the world are expected to be on hand for the trial which has been moved from Judge Brown's small courtroom to the more spacious—200 capacity—courtroom of Judge J. Frank Wilson.

Special credentials were being prepared Saturday and a public address system was being readied for the courtroom to enable reporters to hear every word of the testimony.

Ruby Said Suffering Epilepsy

A Chicago expert on epilepsy believes Jack Ruby suffers from damage to the brain, the New York Times said Saturday.

Dr. Frederick A. Gibbs of Chicago, an authority on epilepsy, has studied brain wave tests made on Ruby and decided that the patterns indicate Ruby suffers from psychomotor epilepsy, according to the New York Times.

Psychomotor epilepsy is a rare variance of the disease which is usually caused by a blow to the head and which sometimes results in its victim having a "rage attack," the newspaper said.

The New York newspaper said Dr. Gibbs has advised Dr. Martin Towler of his conclusions. Dr. Towler is one of three psychiatrists assigned by Judge Joe B. Brown to supervise tests on Ruby.

The Times Herald attempted to contact Dr. Gibbs but he was not in Chicago and could not be reached by telephone.

In Dallas, Judge Brown placed results of the brain wave tests under lock and ordered attorneys on both sides of the Ruby case not to discuss their contents.

Earlier, reliable sources had stated that the tests showed no physical impairment of Ruby, who is charged with murdering accused presidential assassin Lee Harvey Oswald.



SEATING PROBLEM

Getting ready to seat the 900 citizens called for jury duty during the time of the Jack Ruby trial, these courthouse workers move in crates of folding chairs to the central jury room. From left are Willie Easley; Bill Shaw, district clerk; C. A. Maxwell, bailiff of the central jury room; James Hightower and Henry Jennison. Staff Photo.

Recess Probable In Ruby Trial

The Jack Ruby jury selection probably will be recessed Monday afternoon in tribute to former Mayor R. L. Thornton.

Dist. Judge Joe B. Brown said Saturday his court probably will recess for the 3 p.m. funeral for the former mayor.

"In all probability we will recess but I won't decide until Monday morning. Certainly any of the jurors (veniremen) who want to go to Mayor Thornton's funeral will be excused," Judge Brown said.

900 on Jury Panel May Hold Trial Key

In the minds of 900 Dallas County citizens summoned for jury duty Monday may lie the final answer to whether Jack Ruby will be tried for murder in Dallas.

District Judge Joe B. Brown has ordered attorneys to begin selecting a jury in the Ruby case at 9 a.m. Monday—a task Ruby's lawyers believe will never be completed in the city where Ruby shot accused assassin Lee Harvey Oswald.

The process of qualifying and then selecting a jury is no simple task even in an average criminal case. But in the Ruby case it has been the key problem since an indictment of murder was returned against Ruby on Nov. 26.

"The true test of whether the defendant (Ruby) can get a fair trial rests on actual examination of the jury," Judge Brown said in his ruling to withhold a decision on a change of venue last week.

16 PANELS NEEDED

C. A. Maxwell, bailiff in charge of the jury room, estimated Saturday that 16 jury panels would be needed Monday from the whole body for the 36 courts served from the central jury room.

District Judge Clarence A. Guitard, who is responsible for the juries during the first quarter of 1964, has ordered the first panel Monday to be sent to Judge Brown's court for the Ruby trial.

But before the panel can be sent they must first be qualified generally to serve in a court case.

In order to qualify initially, the person summoned must be over 21 years of age, and a citizen of the state and county. He (or she) must be of sound mind and good moral character, and able to read and write the English language.

An ex-convict or convicted felon may not serve on a jury, and anyone under indictment of theft or felony cannot serve.

The prospective juror must be either a freeholder or a householder or the wife of a householder, and may not have served as a juror for six days during the preceeding six months.

SPECIAL QUALIFICATIONS

And of the 125 sent to be examined in the Ruby case Monday, a specific list of questions will be added to these general ones asked for jury qualification.

The state will begin the ques-

tioning of each potential juror and after the person's name and qualifications are established, the prosecutor will soon ask the fateful question, something like this:

"Do you have any conscientious scruples against the infliction of the death penalty for the offense of murder in a case where the law allows it and the evidence justifies it?"

If the answer is yes, the judge himself would excuse the prospective juror "for cause." If it is no, there will be many more questions, including that concerning a fixed opinion.

Does he, or she, have an opinion in the case? If so, is it such which could be set aside with the juror determining the case solely on the evidence admitted?

DEFENSE'S TURN

If the prospective juror passes these and other prosecution questions, he might be then turned over to the defense for questioning.

And the defense is expected to hammer heavily on the questions concerning opinion as derived from publicity given the case. The questioning undoubtedly will be long and tedious.

A venireman might answer both prosecution and defense questions in a manner to make him legally acceptable, but either or both sides might not want him for various reasons. Then, the preemptory challenge is used.

Each side gets 15 preemptory challenges with which they can refuse jurors without necessity of showing cause. While the judge can dismiss as many prospects as are questioned for legally unacceptable answers, when either side's 15 preemptory challenges are gone, they can no longer strike jurors without the judge's concurrence.

In this case, in "voir dire" or individual examination, the preemptory challenges are exercised at the time the venireman is questioned.

PROBLEM OF SEATS

The limited space available for the Dallas County residents reporting for jury duty will be pointed out before actual panel selection begins.

In addition to the 340 seats available, the county has purchased nearly 50 new folding chairs to seat those answering summonses.

Through Friday more than 200 of those called had sent in written affidavits which will excuse them from service.

Those with legal excuses not to serve included ministers, doctors, pharmacists, teachers, members of the National Guard on active duty, firemen on duty,

nurses, spiritual practitioners, forestry agents, females with legal custody of children under 16, and the wives of men summoned to serve on the same jury panel.

Jury selection is expected to take from 10 days to two weeks and the first juror selected may serve for several days before he is joined in close custody of the court's bailiffs by the second member of the jury.

Judge Brown has said he will clear the courtroom of press and spectators while he qualifies the initial panel.

Jurors chosen to serve in the Ruby case will be paid \$5 each day they serve plus \$1 per meal they eat while on the panel.

Bid Seen To Delay Jury Selection

Jack Ruby's defense attorneys are "going to do everything they can to delay and confuse" the selection of a jury here in order to prevent Ruby from being tried in Dallas, Dist. Atty. Henry Wade said Saturday.

Mr. Wade made the remark after he met with his 27 criminal prosecutors and 10 investigators during a briefing session Saturday in preparation for the Ruby's trial which is scheduled to begin before Dist. Judge Joe B. Brown Monday.

Mr. Wade said he told his prosecutors and investigators that all will probably participate in some phase of the Ruby case.

"I told them that we have to keep all the other courts running but that all may have some part in the Ruby case — helping to run down leads and doing research. I told them this might involve some work at night and on the weekends," the district attorney said after meeting with his assistants about 20 minutes.

Mr. Wade predicted that Melvin Belli, chief attorney of the Ruby defense team, will go to "silly" extremes in questioning veniremen as the jury selection begins Monday.

Noting that Mr. Belli has said he may spend an entire day ques-

tioning one prospective juror, Mr. Wade commented:

"I think they are going to try to wear out everybody — the jurors, myself and the judge — in the hopes that Judge Brown will give them a change of venue."

Although millions saw Ruby kill Lee Harvey Oswald, accused assassin of President John F. Kennedy, on television, a jury can be secured in Dallas to give Ruby a fair trial, the district attorney opined.

"No one who saw it on television can actually identify Jack Ruby as the defendant," he said. Televiewers saw the shooting, the subsequent scuffling but were never shown an identifiable view of Ruby's face, Mr. Wade indicated.

Mr. Wade said he will ask prospective jurors to disregard anything they have read, heard or seen on television and try the case on the testimony.

Legal Teams Set for Historic Courtroom Duel

By JIM LEHREB
Staff Writer

Eight attorneys will write their names in the history books Monday as those who fought for justice in the trial of Jack Ruby, slayer of an accused presidential assassin.

No other single group of lawyers have—or will—likely come under closer scrutiny at any time during this century.

Their clothes will be described,



HENRY WADE
Heads State Team

as will the color of their eyes, the way they part their hair, the pitch of their voices.

Every sneeze, grin and gesture will be noted and their words spoken both in and out of the courtroom will be studied and dissected by an anxious public throughout the world.

For a few of the eight, the spotlight will not be new—the power will just be on a little higher. For others, the experience will be new.

For the state, Dist Atty. Henry Wade, a name already familiar to most Americans as a result of the



A. D. JIM BOWIE
Wade's Top Assistant

Ruby case, will be assisted by his three top assistants.

Sitting at Mr. Wade's side at the right end of the counsel table—right next to the jury box—will be A. D. Jim Bowie, his first assistant, and Bill Alexander and Frank Watts, the two chief prosecutors in the Dallas County courts.

At the other end, flanking the man on trial for killing Lee Harvey Oswald on Nov. 24 in the Dallas City Hall basement, will be four men for the defense.

John Bell, is in charge there.



SAM BRODY
Expert on Appeals

The famous San Francisco attorney obviously ran the show during the change of venue hearing last week and will do so during the trial.

DEFENSE TEAM

Joe Tonahill of Jasper is the defense's chief lieutenant. Others on the defense side are Phil Burleson, of Dallas, and Sam Brody, an expert on federal and appeal matters who works with Mr. Belli in San Francisco.

A fifth member of the defense

team—Tom Howard of Dallas, withdrew Saturday.

Before a jury of 12 persons—if, when and where they are selected—the state's team will seek to prove that Ruby's killing of Oswald was premeditated murder and that the former Dallas nightclub owner should be electrocuted.

The defense will be fighting to show that Ruby was temporarily insane when he broke through newsmen and pressed a .38 caliber revolver against the handcuffed Oswald's chest.

ULTIMATE COMBAT

The courtroom action should be the ultimate of legal combat. Each of the lawyers will be at his best throughout the trial, beginning Monday with the individual examination of prospective jurors.

Lawyers, like baseball pitchers, have their own style, their best pitches—"stuff."

Mr. Wade can be expected to remain hunched down in his seat, chewing an unlit cigar and appearing almost nonchalant. His words will be few, but they will be direct and spoken with force.

He will have little on the table in front of him and will take but a few notes on the blue-lined yellow legal pad before him. His assistants will do the copious note-taking.

Mr. Wade has picked many death penalty juries since he was elected district attorney in 1950. His technique, one of getting to the point in a hurry, has resulted in the death penalty being returned 24 out of the 25 times he's asked juries for it.

RIGHT TO POINT

On occasion he has been known to ask a prospective juror, "Do you believe in the death penalty?" as the first question. If the person says, "No," he's excused immediately and another run in. It saves time. Mr. Wade doesn't like to waste time.

His chief opponent, Mr. Belli, has said he intends to examine the jurors "fully," so if a prospect gets through the state's examination (the prosecution interrogates first), the work will be just beginning.

Much has been written in the national and international press about Mr. Belli. He has been described as being "flamboyant," "flashy," "a master showman."

One story described the lawyer as being "wondrous smooth." While it may not be grammatically correct, most newsmen and observers who watched Mr. Belli in action last week agree with the description.

RARE COMBINATION

He creates the rare combination of being relaxed and taut at the same time — willing to take things easy, but ready to jump when duty calls.

And when Mr. Belli jumps, words are sure to follow—descriptive, well-modulated words that are put together in velvet sentences.

Each of the two men has his own way of doing things, but when either Mr. Wade or Mr. Belli speaks, everyone is sure to listen.

The closest one to the "Belli-type" on the state's staff is Mr. Bowie, a man who remained in the background of the Oswald-Ruby case until the change of venue hearing.

Never at a loss for words, Mr. Wade's chief assistant was involved in most of the colorful exchanges between attorneys during the hearing.

"BOOK LAWYER"

Mr. Bowie, who spent several years handling the appeals in the district attorney's office, had been billed as the "book lawyer" for the state. He has proved that he will also be one of the prosecution's main "courtroom lawyers," too.

The other two members of the state's teams, Mr. Alexander and Mr. Watts, have both been prosecuting criminal cases for more than 10 years.

But that's where the similarity ends.

Mr. Alexander is known for his toughness. He's a shouter who is considered one of the best men on cross examination in Texas. His affinity for bluntness often keeps



JOE TONAHILL

Biggest and Loudest:

him in on the borderline of ~~be~~ it — plus his sheer physical size ing in trouble with the trial judge.

Mr. Alexander's remarks, for instance, were the ones that brought the strongest ire of the defense during the change of venue hearing.

It is expected the same will be true at the trial.

Mr. Watts is less vocal. He is more of the boring-in type, whose thoroughness has won for him the

reputation for being one of the top prosecutors in the state.

Mr. Wade will lean heavily on this man to keep track of the evidence and witnesses during the trial.

Easily biggest and possibly the loudest lawyer in the courtroom will be Mr. Tonahill, who keeps a grin on his face and works overtime creating the image he's just a "small town East Texas lawyer."

Mr. Tonahill is anything but that. The only connection he has with that stereotype is the fact that he lives in the small (population 5,120) city of Jasper, which happens to be in East Texas.

As a former president of the State Bar Association, he is well known and respected throughout Texas as a trial lawyer of the first order.

He's a courtroom battler whose ~~voice~~ and his willingness to use

(height: 6 feet 4 inches, weight: 250 pounds) make it impossible to be unaware of Mr. Tonahill.

While Mr. Belli will undoubtedly handle most of the subtle in-fights, Mr. Tonahill will likely be in the middle of the naked combat.

The youngest lawyer in the courtroom will be Phil Burleson, who until 17 months ago sat at the other end of the table when in court.

As an assistant district attorney the 30-year-old attorney succeeded Mr. Bowie as the state's expert on appeals. He left Mr. Wade's staff in September, 1962, to enter private practice.

Mr. Burleson, though young, already has a vast amount of trial work behind him. The defense is employing him in a two-fold responsibility — to keep tab on exhibits and to keep one eye on the appeal possibilities throughout the trial.

Also working on the appeal angle will be Sam Brody, Mr. Belli's associate. According to Mr. Belli, Mr. Brody is a top man in this and federal trial procedures.

So the line-up reads:

For the State of Texas — Wade, Bowie, Alexander and Watts.

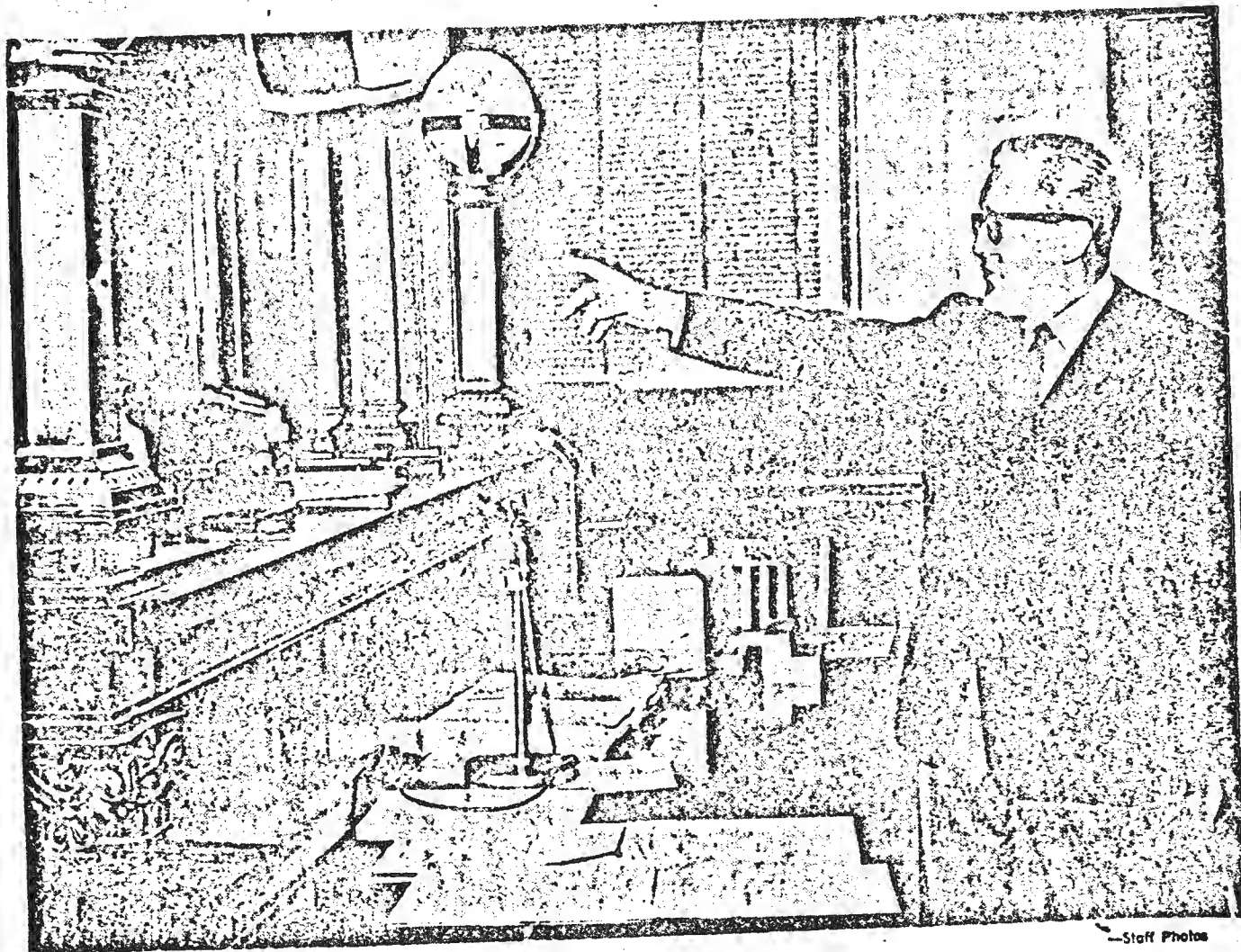
For the defendant, Jack Ruby — Belli, Tonahill, Burleson and Brody.

INAPPROPRIATE AXIOM

While a few old axioms from the sporting world also apply to the legal profession, there is one in particular that doesn't seem to fit — "It matters not whether you win or lose, but how you play the game."

To lawyers, playing the game is important, all right, but they have found that after a jury comes in with a verdict nothing else matters much.

Monday, the first step to what does matter is taken.



—Staff Photos

Defense lawyer Melvin Belli inspects courtroom.

(Mount Clipping in Space Below)

Ruby Murder Case May Go to Jury Today

Opinions Of Experts Conflict

By HUGH AYNESWORTH
and CARL FREUND

Judge Joe B. Brown said Thursday he expects to put the Jack Ruby murder case in the hands of jurors late Friday.

His statement came as testimony neared an end in the trial, which started Feb. 17.

As prosecutors and defense lawyers called their final witnesses, jurors heard sharply conflicting opinions about Ruby's mental condition when he shot Lee Harvey Oswald while millions watched on television.

A Wisconsin brain specialist, whose patients included President Eisenhower, scoffed at the defense claim that Ruby was in a trance when he shot Oswald, the 24-year-old Marxist accused of assassinating President Kennedy here.

But a \$350-a-day defense psychiatrist pictured Ruby as a legally insane, highly emotional slayer who deluded himself into thinking he was "the saviour of his race—a messiah." The psychiatrist

said Ruby was "in a state of suspended consciousness" when he pulled the trigger of his Colt Cobra revolver.

Dist. Atty. Henry Wade announced at 5:35 p.m. Thursday that he and his assistants—A. D. Jim Bowie, William F. Alexander and Frank Watts—had completed testimony with which they hoped to send Ruby to the electric chair.

They pictured the balding, 52-year-old manager of a downtown striptease club as a cold-blooded, calculating killer who plotted and carried out an execution "in hopes of becoming a hero."

Defense attorneys Melvin Belli, Joe Tonahill and Phil Burleson told Judge Brown that Dr. Frederic A. Gibbs was flying here to bolster their case, but would not arrive until after midnight.

They pictured Dr. Gibbs as the nation's leading authority on "brain wave" tests—a point prosecutors dispute—and asked Judge Brown to let him testify Friday.

"I told you in advance that I intended to wind up testimony tonight and I still intend to do it," Judge Brown said.

Judge Brown agreed after an argument among lawyers to let Dr. Gibbs testify as the final witness of the trial at 9 a.m. Friday.

The black-robed judge said he will then read his instructions to the jury.

This will clear the way for final

(Indicate page, name of newspaper, city and state.)

"The Dallas
Morning News"
Dallas, Texas

Date: 3-21-64
Edition:
Author:
Editor:
Title: Jack B. Krueger

Character:
or
Classification:
Submitting Office: Dallas

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arguments by lawyers. They will discuss the law which applies to the case, review testimony and sketch contrasting pictures of Ruby.

Then the jury will go behind closed doors and deliberate on its verdict.

DR. FRANCIS FORSTER of the University of Wisconsin, who examined President Eisenhower after he suffered a stroke during his second term, took the stand Thursday as a surprise witness for the prosecution.

Dr. Forster ridiculed the defense contention that Ruby was in a "blackout," acting like a robot without knowing what he was doing, when he shot Oswald Nov. 24.

The specialist said a person in a psychomotor epilepsy seizure could never have done the things which witnesses say Ruby did. They testified Ruby called Oswald a "rat son of a bitch," fired a pistol at close range into the maniacal Oswald, and then said, "I hope the son of a bitch dies."

WADE ALSO called two nationally known psychiatrists to counter the defense contention that electroencephalograms (results of "brain wave" tests) showed Ruby had organic brain damage and was subject to psychomotor epileptic seizures.

Dr. Robert Schwab of the Harvard Medical School said Ruby's test pattern "could be found in a person who has a history of brain damage, but it could also be found in those who have not."

Dr. Roland MacKay, a psychiatrist and neurosurgeon on the staff of the Northwestern University medical school, said Ruby's pattern did not support a finding of psychomotor epilepsy. In fact, he said, the pattern would not even suggest a diagnosis of psychomotor epilepsy to him.

PROSECUTORS described Dr. MacKay as an expert in giving and interpreting the tests. They record electrical impulses given off by the brain.

The witness said Ruby's pattern could have been made by a sleepy person or someone under the influence of drugs.

Defense lawyers put heavy stress on testimony of Dr. Walter Bromberg, a Baltimore psychiatrist who examined Ruby in his county jail cell. Dr. Bromberg said he is convinced the slayer didn't know what he was doing when he pulled the trigger.

"HE DID NOT know right from wrong at the time of the shooting," Dr. Bromberg testified.

Ruby's rabbi, Dr. Hillel Silverman of Temple Shearith Israel, also testified that the slayer was mentally ill.

The rabbi told how Ruby referred to his dogs as his "wife and children" and screamed and cried during a harangue. He said he believed Ruby insane at the time of the shooting and insane now.

Asked if Ruby was superstitious about his fate being placed in the hands of a jury on a Friday the 13th, Tonahill replied:

"I don't know about him, but I sure am."

JUDGE W. A. MORRISON of the Texas Court of Criminal Appeals said jurors could legally return a verdict on Sunday if they agreed upon it during the day.

Jurors appeared exhausted and bored during most testimony Thursday. One juror sat in his chair with his eyes closed, giving the impression that he was fighting ~~to~~ to fall asleep.

Observers speculated most jurors had formed conclusions whether Ruby was sane or insane.

Ruby's face mirrored the strain of the long trial. He appeared pale and haggard.

Chewing gum at times, Ruby kept his gaze on psychiatrists who discussed his condition.

DEFENSE lawyers said they would have preferred that Ruby not hear medical testimony about his emotional status. They said they feared it would cause a "further deterioration," but noted state laws require that a defendant remain in the courtroom throughout his trial.

Judge Brown will tell the jurors in a legal document known as the court's charge that they must find Ruby guilty of murder if they conclude that he knew what he was doing when he shot Oswald. The judge will emphasize, however, that they must find Ruby innocent of murder if they find he was temporarily insane.

JUDGE BROWN will point out the penalty for murder ranges from two years to life in prison — or death in the electric chair. He will tell the jurors also that they must decide which witnesses told the truth and that they cannot consider Ruby's failure to testify.

The prosecutors will picture Ruby in their closing arguments as ~~"a man"~~ who took the law in

his own hands" and killed in hopes of becoming a national hero. Defense lawyers will portray Ruby as a pitiful "emotional cripple" who snapped under the stress of the Kennedy assassination.

RABBI SILVERMAN said he had felt for "a long time" that Jack Ruby didn't know right from wrong.

He said he had made up his mind that the next time Ruby did something bizarre, he would suggest that Ruby see a psychiatrist.

The rabbi, who has known Ruby for about 10 years, told of services at his temple the night the President was killed.

Ruby, he recounted, was in the greeting line.

"He seemed to be in a sort of trance," Dr. Silverman said. "I expected him to say something about the tragedy but he came up without a tear in his eye. Almost everyone else was crying.

"INSTEAD OF saying what I expected," the rabbi continued, "he thanked me for visiting his sister in the hospital the previous week."

The rabbi told of a previous time when Mrs. Eva Grant, Ruby's sister, told him of Ruby pushing her and "even striking her" during the Jewish High Holy Days.

Ruby, he said, telephoned him and talked for 45 minutes asking him to patch up the quarrel so that Eva would sit next to him the following morning in services.

Ruby recalls nothing about striking Mrs. Grant, the rabbi said.

Rabbi Silverman, who said he visited Ruby more than 70 times since he was jailed Nov. 24 for killing Oswald, told of another time when he thought Ruby's actions were

"HE CAME OUT to the house and brought his dogs," the rabbi said. "We were standing on my front lawn talking, the dogs were running all around. I said something about them and he broke down in sobs.

"He cried and moaned and said something about this was the only real family he had," Dr. Silverman said.

Wade asked the rabbi if he had ever suggested to Ruby that he seek psychiatric help.

"It's not easy to suggest that to a person," the rabbi replied, "but I planned to do it the next time he did something of this nature."

WADE ASKED Dr. Bromberg:

"Did Jack Ruby have a feeling of wanting to be a hero?"

The psychiatrist replied:

"A martyr, rather. He had a definite messianic trend, wanting to rescue the Jewish people from the charge that they didn't have guts."

"He told you that he wanted to prove that Jews did have guts, didn't he?" Wade continued.

"Yes, he said that several times," the witness replied.

Prosecutors had stated earlier they believed Ruby shot Oswald in the mistaken belief that the act would lead to "fame and fortune." Alexander said he thinks Ruby convinced himself he would become so famous that he could open "Jack Ruby's on Broadway."

WHEN DEFENSE lawyers suggested that Dr. Bromberg explain the "messianic complex" to jurors, the psychiatrist testified: "It refers to the idea that a person thinks he's the saviour of his race, a messiah. Ruby had that idea for years."

Dr. Bromberg added that this is a common symptom of "an epileptic personality."

"They have the idea that they will save the world, that they are the anointed," he said.

While the white-haired psychiatrist was on the stand, Belli asked how Ruby would react if "two police officers told him on Nov. 23 that the man who killed President Kennedy and murdered a fellow police officer should be cut up into little bitty pieces."

WADE SHOUTED an objection. He noted there had been no testimony that officers made such a statement to Ruby.

"There will be," Belli said. Judge Brown termed the question objectionable and told Dr. Bromberg not to answer.

Dr. Bromberg said persons accused of crimes, as well as others who "black out" from alcoholism or psychomotor epilepsy seizures, may invent details to "fill in" periods which they cannot remember.

Defense lawyers could argue that this could account for statements which detectives say Ruby made after he shot Oswald.

They quoted Ruby as saying, "Somebody had to do it and you guys couldn't," and, "I intended to shoot him three times."

WADE QUOTED from books by

Dr. Bromberg in an attempt to show that his writings conflicted with his testimony. The psychiatrist said there was no conflict.

The district attorney also asked if Ruby had mentioned "the Mc-Willie deal in Cuba," referring to a trip which Ruby made to Havana.

Dr. Bromberg said it was mentioned.

They did not go into details.

Dr. Bromberg also testified:

—Ruby stated he had taken drugs, which would have a stimulating effect, in an attempt to lose weight for two months before Oswald was shot.

—Ruby regarded himself as "tough."

THE DEFENSE called Curtis L. "Larry" Craford, a former Ruby employee, who told that he, Ruby and Ruby's roommate, George Senator, met in the early dawn hours of Nov. 23 to take Polaroid pictures of "Impeach Earl Warren" signs.

Craford said he was hired by Ruby only a few weeks before the November tragedies. He hitchhiked out of town later that Nov. 23, he said.

"I'm a footloose character. I get around a lot," he said, "I just thought it was time to be leaving and I went."

He described Ruby as "very upset" about the signs.

A nervous 23-year-old, Craford was asked if Ruby had any dogs. Craford slept in the Carousel Club, along with four or five of Ruby's pets.

HE LAUGHED at the question and replied, "Yes, he did."

Sam Pate, a 31-year-old ex-radio newsman, was called by the defense to place Ruby at the Saturday morning Oswald press conference at city hall.

Pate said he saw Ruby "on a table, way up high."

Q—(By Tonahill). Was Jack Ruby in a position where he could have killed Oswald then?

The prosecution objected and Tonahill began again.

Q—What was Ruby doing and what else did you see?

A—I saw him (Ruby) holding up a small notebook and he nodded to somebody at the front of the room. Henry Wade nodded back toward him.

WADE CROSS-EXAMINED briefly and presented a photograph taken of the press conference. He asked Pate if a certain figure (one not on a table) were Jack Ruby.

A—That's not him, no sir.

Wade then placed the photograph back into his file and Belli jumped up angrily. "Let us see that picture!" he shouted. "Let the jury see it!"

"He said it wasn't Ruby," Wade reminded and closed the picture out of sight.

Belli apparently wasn't sure what the picture showed.

"This is the worse kind of groundhog evidence I've ever seen," he said, his arms waving.

"It comes out for a while and then goes back in."

PATE WAS ASKED if Ruby had a great number of acquaintances on the police force.

"Yes, I was told by one of the family that they gave whisky to every member of the police force at Christmas time."

He said Ruby's sister, Mrs. Eva Grant, told him that.

Last witness of the day was Mrs. Alice Nichols, a Dallas secretary, who testified she had known Ruby since 1949.

Mrs. Nichols said she and Ruby "talked about getting married about 1954 or 1955" but that in recent years she hadn't seen much of him.

Ruby telephoned her twice on Nov. 22, she said. She said he was "in an emotional state, quite upset."

ASKED BY the defense if Ruby ever contemplated suicide, Mrs. Nichols replied softly: "I don't ever remember his mentioning suicide."

As Mrs. Nichols left, she walked by Ruby at the defense table and pursed her lips as if to speak. He smiled and spoke to her.

Defense attorneys later called a blond bank worker to the stand.

Mrs. Ingrid Carter, a Merchants State Bank teller, said she talked with Ruby "about a week" before President Kennedy was assassinated.

"He seemed very depressed," she said.

MRS. CARTER said Ruby told her:

"I think nobody in this world loves me. I'm all by myself."

She also quoted Ruby as saying, "Nobody understands me."

However, Mrs. Carter stated during Alexander's cross-examination that she felt Ruby could distinguish between right and wrong when she last saw him.

Two defense witnesses related that Ruby appeared agitated when

they saw him in a downtown bar the afternoon of Nov. 23.

Frank Bellocchio, a jewelry designer, and T. R. Apple, an airlines pilot, said Ruby was displaying a photo of an "Impeach Earl Warren" sign.

BELLOCCHIO said Ruby appeared "very emotionally upset . . . not coherent . . . not thinking clearly."

Apple said that, while Ruby appeared agitated over the sign, he seemed "no more emotional than most people" who had been shocked by the Kennedy assassination.

The pilot said Ruby stated, "I know who to give this (the photo of the sign) to. I want it to be a scoop."

Tonahill asked, "Did he mention his friend, Gordon McLendon, of KLIF?"

"No, sir," Apple replied.

ANOTHER defense witness, Martin Gaydosh, said he saw Ruby about 4 a.m. Nov. 23 in the composing room of the Dallas Times Herald, where Gaydosh works.

Gaydosh said Ruby was "very emotional over the assassination" and his eyes "watered" as he referred to President Kennedy.

Gaydosh said Ruby complained bitterly about a full-page ad in The Dallas News which criticized President Kennedy.

The witness said Ruby implied that the name "Bernard Weissman" had been placed at the bottom of the ad as part of a conspiracy against Jews.

GAYDOSH SAID Ruby told him, "The son of a bitch is trying to frame the Jews," or "The son of a bitch is trying to blame the Jews." The witness said he wasn't sure which word Ruby used.

Gaydosh said Ruby brought along a "twist board" and gave it to him after demonstrating its use. He said this is a board with ball bearings and is used for exercises "to trim the waist."

Prosecutors said they would use Gaydosh's testimony to attack earlier testimony of George Senator, Ruby's apartment mate. Senator told jurors he was with Ruby throughout the early morning hours of Nov. 23 and, in answer to questions from Alexander, insisted they did not go to the Times Herald.

STILL ANOTHER defense witness, Ken Dowe of KLIF, may have helped prosecutors.

The disc jockey said Ruby called the station the afternoon of Nov. 23 and said he thought Oswald would be transferred to the county jail that afternoon.

Prosecutors say Ruby kept a close watch on plans for moving Oswald and this is evidence that Ruby was planning the slaying at that time.

The witness also quoted Ruby as saying, "Mr. Wade could help him get a story."

(Wade has repeatedly denied defense statements that he and Ruby were friends. The district attorney says he first met Ruby when the striptease club manager introduced himself in the City Hall basement the night of Nov. 22.)

Sides Swap Insults at Ruby Trial

Prosecutors and defense lawyers traded insults Thursday as tempers grew taut in the Jack Ruby murder trial.

The pressure of the trial, now in its fourth week, kept nerves on edge.

One sharp exchange erupted during testimony by Dr. Walter Bromberg, a New York psychiatrist who testified for the defense.

Dist. Atty. Henry Wade asked Dr. Bromberg in a somewhat argumentative tone, "As a matter of fact, you don't think much of our Texas insanity law, do you?"

Melvin Belli, the chief defense lawyer, spoke up to say "a lot of people" had opinions about the law.

Referring to Belli, Assistant Dist. Atty. William F. Alexander told Judge Joe B. Brown, "He doesn't need to coach his witness. We object to his coaching this witness."

"I see our insulting friend is at it again — our insulting friend who refers to people as peasants," Belli declared, glaring at Alexander.

First Assistant Dist. Atty. A. D. Jim Bowie shouted an objection to Belli's remark. Soon lawyers from both sides were shouting while Judge Brown tried to restore order.

"I'm almost at the limit of human endurance," Belli commented.

Wade touched off a defense outburst minutes later when he asked Dr. Bromberg a lengthy hypothetical question. The prosecutor said the question was based on testimony of witnesses who had taken the stand earlier, but defense lawyer Joe Tonahill roared that Wade was "deliberately misstating facts."

"Sit down, Mr. Tonahill," Judge Brown said firmly.

Then Belli referred to Dr. John Holbrook, a Dallas psychiatrist who testified for the prosecution, as "Mr. Alexander's friend . . . the jailhouse psychiatrist."

"He's not a jailhouse psychiatrist. He's a reputable psychiatrist and we resent these remarks," Alexander thundered.

Later, referring to Belli's self-professed knowledge of medicine, Wade sarcastically called the defense lawyer "Dr. Belli."

6

BY BAILIFFS

Pickets, Attorneys Warned

Bailiffs guarding jurors in the Jack Ruby murder trial warned defense lawyers and placard-waving pickets Thursday to keep their distance or risk going to jail.

The warning came when the attorneys and pickets started to enter a small cafe where jurors were eating lunch.

"Get these people out of here or I will throw them all in jail," one bailiff shouted.

The attorneys headed for another cafe.

So did Mr. and Mrs. Edwin Tiemann, who have been preaching in the courthouse area and waving placards.

As Ruby's attorneys left the courtroom for the noon recess, Tiemann told them, "If he's not ashamed, I want to talk to Mr. (Melvin) Belli."

The defense lawyer, who was walking beside his wife, answered, "Sure, come on over and I'll buy you a bowl of chili."

★ JURY GIVEN SUNDAY O.K.

Jurors in the Jack Ruby murder trial could legally return a verdict on Sunday, Judge W. A. Morrison of the Texas Court of Criminal Appeals said Thursday.

The jurist said Judge Joe B. Brown could release Ruby immediately if he was found innocent or return him to the custody of Sheriff Bill Decker if he is convicted.

But, Judge Morrison said, Judge Brown could not pronounce judgment on Sunday. This would be deferred until later in the week.

NEWS EXCLUSIVE

Story Backed By Testimony

Testimony from psychiatrists during the Jack Ruby murder trial confirmed a Dallas News story which defense lawyers repeatedly attacked as false.

The exclusive story, published Jan. 31, discussed results of laboratory tests given Ruby as he awaited trial on a charge of murdering Lee Harvey Oswald.

The story quoted an informed source as saying:

—Dr. John Holbrook and Dr. Robert Stubblefield, Dallas psychiatrists who served on the 3-man team which evaluated the tests, agreed they did not show significant organic brain damage or psychomotor epilepsy.

—Dr. Martin Towler of Galveston, the third member of the team, who was called as a defense witness, wanted to let an out-of-state expert examine results of "brain wave" tests before reaching a conclusion.

—A spinal tap showed no evidence of brain pressure or inflammation.

Defense attorneys termed the story "a malicious lie."

Testifying as a prosecution witness, Dr. Holbrook told jurors he "disagrees very strongly" with the contention of defense lawyers that Ruby has organic brain damage. He also ruled out psychomotor epilepsy and said he is convinced Ruby was legally sane when he shot Oswald.

Prosecutors also called Dr. Stubblefield as a witness. He said he concluded Ruby was sane when he examined the slayer.

Dr. Stubblefield said that, while he has read numerous electroencephalograms (results of "brain wave" tests), he does not consider himself an expert in this field.

The psychiatrist said he uses the services of Dr. Sheff Olinger of Dallas and accepts his conclusions.

Dr. Olinger, also called as a state witness, was present when Ruby underwent tests in the Dallas Neurological Clinic.

Assistant Dist. Atty. William F. Alexander asked Dr. Olinger:

"Will you tell us whether or not these two electroencephalograms (from Ruby's tests) indicate any organic brain damage?"

"Not in my opinion," the witness replied.

Dr. Olinger said he detected "minor" variations in Ruby's brain wave patterns, but considered them of little significance.

(The Dallas News story said these variations were found.)

Dr. Towler said he sent the results to Dr. Frederick Gibbs in Illinois since he regarded Dr. Gibbs as "the father of American electroencephalography" and wanted the benefit of his opinions.

Dr. Towler said Dr. Gibbs felt the tests showed "psychomotor variances" indicative of a form of epilepsy and he agreed with this conclusion.

Prosecution and defense witnesses agreed the spinal tap analysis showed no evidence of brain pressure or inflammation.

Ruby Defense Psychiatrist Undergoes Stiff Questioning

Dist. Atty. Henry Wade contended Thursday that a defense psychiatrist in the Jack Ruby murder trial left his staff position with a California mental hospital because he "thought sex criminals should be released and allowed to roam around."

Wade ripped into the psychiatrist, Dr. Walter Bromberg, in the most scathing cross-examination of the trial.

Dr. Bromberg testified during questioning by Melvin Belli, the chief defense lawyer, that Ruby shot Lee Harvey Oswald while "in a state of suspended consciousness."

The psychiatrist pictured Ruby as a psychomotor epilepsy victim who had delusions that he was "a messiah . . . the savior of the Jewish race . . . a man who wanted to prove that Jews have guts."

Wade raised his voice at times while questioning Dr. Bromberg, who is now clinical director of a New York psychiatric hospital. The district attorney at other times spoke in a voice syrupy with derision.

Wade noted that Dr. Bromberg left a Mendocino, Calif., hospital after spending 14 months on its staff.

"You left after a disagreement because you thought sex criminals should be released and allowed to run around, didn't you?" Wade asked.

Dr. Bromberg replied that he left after a disagreement with the state director of mental hygiene.

Q. Well, you did recommend that these sex criminals should be furloughed, didn't you? You thought they should be furloughed?

A. That was the interpretation placed upon it by the director of mental hygiene. I said they shouldn't be locked up behind brick walls if they became better, and should be allowed some freedom on the grounds, and that was where the difference of opinion arose."

Q. You've testified a number of times for Mr. Belli and his associates, haven't you?

A. Not on numerous occasions. In two or three cases, I would say.

Q. Are you telling this jury that two times is all, for him or any member of his firm?

A. Yes, as far as I can recall.

Q. And they're paying you \$350 a day?

A. That depends on the hours I spend . . .

Q. That's your fee, isn't it — \$350 a day?

A. Yes, sir.

Q. And they pay travel and expenses?

A. That's right.

Ruby leaned forward in his chair, his face expressionless, his jaws chomping on the gum in his mouth. Jurors kept their eyes on Dr. Bromberg, but they appeared exhausted. Two jurors on the front row puffed on pipes.

Belli called Dr. Bromberg as his first witness Thursday in an attempt to bolster the defense

intention that Ruby blacked out and acted like a robot, unaware of what he was doing, when he shot the Marxist accused of assassinating President John F. Kennedy. The defense theory came under heavy attack from prosecution psychiatrists Wednesday.

A white-haired, neatly attired man, Dr. Bromberg gestured with his hands as he testified. His horn-rimmed glasses, which he removed at times, and his precisely clipped mustache added to his distinguished appearance.

Dr. Bromberg's testimony paralleled that of Dr. Manfred Guttmacher, a Baltimore psychiatrist called by the defense.

After Dr. Bromberg told the jury about his background as a psychiatrist and lecturer in the field of mental health, Belli asked:

"Do you have an opinion whether Jack Ruby knew right from wrong, and the nature and consequences of his acts, on Nov. 24, when he shot Lee Harvey Oswald?"

Dr. Bromberg replied:

"I feel he was mentally ill and did not know the nature of his act. I feel he was in a state of suspended consciousness due to a complicated mental illness . . . He was an extremely emotional, unstable person . . . an epileptoid personality . . . prone to acts of an instinctive, automatic nature not subject to control."

The psychiatrist said that, like Dr. Guttmacher, he thinks Ruby has suicidal tendencies.

"I think he has a definite suicidal potential," Dr. Bromberg told jurors. "All depressives have suicidal tendencies."

"Here we have a man with a low self-esteem . . . the feeling that he was a nothing person. When you find this type of man, you find suicidal tendencies."

"Well, there wasn't any indication, was there, that he intended to shoot himself when he shot Lee Harvey Oswald?" Wade asked derisively.

Dr. Bromberg conceded there wasn't.

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UPI-60

(RUBY)

DALLAS--JACK RUBY'S DEFENDERS CLOSED OUT ALL TESTIMONY AT HIS MURDER TRIAL TODAY WITH AN EXPERT WHO SAID THE SLAYER HAS A "PARTICULAR, VERY RARE" FORM OF EPILEPSY, BUT HE COULD NOT SAY WHETHER THE SLAYER KNEW RIGHT FROM WRONG.

JUDGE JOE B. BROWN WILL GIVE THE CASE TO THE JURY TONIGHT, THE 22ND DAY OF THE TRIAL.

THE JUDGE CALLED AN INDEFINITE RECESS TO PREPARE HIS CHARGE TO THE JURY.

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WASHINGTON CAPITAL NEWS SERVICE

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UPI-64

(RUBY)

DALLAS--A \$350 A DAY NEW YORK PSYCHIATRIST TODAY CAPPED THE DEFENSE EFFORT TO SAVE JACK RUBY FROM THE ELECTRIC CHAIR WITH TESTIMONY THAT HE WAS MENTALLY ILL AND LEGALLY INSANE WHEN HE SHOT LEE HARVEY OSWALD.

DR. WALTER BROMBERG, THE DEFENSE "AMBUSH" WITNESS, MAINTAINED THAT RUBY INSTINCTIVELY AND AUTOMATICALLY SHOT THE ACCUSED ASSASSIN IN A "BLACKOUT."

RUBY, LED THROUGH A LITTLE GREEN DOOR INTO COURT, LOOKED HAGGARD BUT CALM AS HE SAT LISTENING.

THERE WAS SPECULATION THE SLAYER WOULD BE CALLED TO TESTIFY IN HIS OWN DEFENSE. CHIEF DEFENSE ATTORNEY MELVIN BELLI, A MAN OF LEGAL SURPRISES, HAS SAID HE MIGHT PUT HIM ON THE STAND--AND HE MIGHT NOT.

BROMBERG, A DISTINGUISHED-LOOKING MAN WITH FLOWING WHITE HAIR AND A GRAYING MUSTACHE, AGREED WITH TWO PREVIOUS DEFENSE PSYCHIATRISTS WHO SAID RUBY SUFFERED FROM A FORM OF EPILEPSY.

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WASHINGTON CAPITAL NEWS SERVICE

Another Psychiatrist Says Ruby Was Insane

DALLAS, Tex., Mar. 12 (AP). —Another defense psychiatrist testified today that Jack Ruby was legally insane when he killed Lee Harvey Oswald.

"It is my opinion that Jack Ruby did not know the difference between right and wrong or the nature or consequences of his act," Dr. Walter Bromberg of New York told the jury in Ruby's murder trial.

Testimony in the trial is expected to end today and the jury may begin deliberating Ruby's fate tomorrow. Ruby has not taken the witness stand and there were no indications that he would.

Dr. Bromberg said he believed Ruby was in a state of "suspended consciousness" when he killed Oswald, accused assassin of President Kennedy.

Would Face Patients

In cross-examination, District Attorney Henry M. Wade brought out that Dr. Bromberg left a Mendocino, (Calif.) hospital after a dispute with his superiors there. The prosecutor suggested that the break came because the witness recommended that criminally insane patients be "allowed to run around loose in the vicinity."

"I said they shouldn't be locked up behind stone walls if they became better, and should be allowed some freedom on the grounds," Dr. Bromberg said.

Dr. Bromberg testified that he had worked on at least two previous cases with the chief defense attorney, Melvin Belli, and that his fee for these services is \$350 a day.

District Attorney Wade asked if he thought Ruby might have considered that he would be "a hero" for killing Oswald, especially with television cameras

bringing the scene to countless viewers.

Had "Martyr" Image

"I'd say he thought of himself as a martyr," Dr. Bromberg replied. "He has a definite Messianic trend. He wanted to rescue the Jewish people from the charge that they don't have guts."

Yesterday the prosecution called a parade of psychiatric experts to discuss Ruby's mental condition, the meaning of the so-called abnormalities on encephalograms, tracings of brain waves, taken when Ruby was examined, and the critical question of whether he was legally sane on November 24, when he shot Oswald.

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Ruby Legally Sane at Time of Crime, Prosecution Medical Experts Say

By Gene Blake
 The Los Angeles Times

DALLAS, March 11—Expert witnesses for the prosecution today began disputing findings of brain damage and temporary insanity in Jack Ruby after the defense abruptly rested its case.

The state finished rebuttal testimony and the defense called four rebuttal witnesses before the trial was recessed today. There now appears to be a good chance the case will reach the jury before the end of the week.

Dr. Robert Stubblefield of Southern Methodist University, psychiatrist appointed by the court, testified he believed that Ruby was legally sane at the time he shot accused presidential assassin Lee Harvey Oswald—assuming the police testimony about his actions and words is true.

Without that, however, Stubblefield would not give his opinion other than that he believed Ruby competent to stand trial when he saw him late in January.

The psychiatrist said Ruby then refused to discuss the circumstances surrounding the shooting, on the advice of counsel.

Dr. John T. Holbrook of Beverly Hills Hospital here, the prosecution's psychiatrist, testified he believed Ruby was legally sane at the time of the shooting.

He said he did not question Ruby about the shooting when

he first interviewed him in County Jail the next day but he seemed to have a good recall of events at that time. Later, he said, Ruby refused to discuss it on advice of counsel.

Holbrook disagreed with a defense psychologist's opinion that Ruby has brain damage, declaring there is only a 50-50 chance of determining that from psychological tests.

Dr. Sheff D. Olinger, neurologist at the laboratory where Ruby was examined, said in his opinion they did not indicate any organic brain damage or psychomotor epilepsy.

The announcement by defense attorney Melvin Belli nine minutes after today's session opened that "the defense rests" caught District Attorney Henry Wade by surprise. The defense had been expected to put on about 20 more witnesses.

It meant that Ruby will not take the witness stand.

After the defense rested, District Judge Joe B. Brown denied motions for a directed verdict of acquittal based on "undisputed testimony that Ruby did not know right from wrong."

This was the testimony yesterday of Dr. Manfred Guttmacher, Baltimore psychiatrist, easily the star witness for the defense. It was apparent the defense legal team felt anything after Guttmacher's testimony would be superfluous.

Findings of brain damage and seizure disorder pointing to "psychomotor epilepsy" or "psychomotor variant" also had been reported by Dr. Roy Schafer, Yale University psychologist, and Dr. Martin Towler, Galveston neurologist and psychiatrist.

Olinger, questioned by Assistant District Attorney William Alexander, said he read the electroencephalograph brain wave tracings and the reports of Dr. Towler and Dr. Schafer.

"I disagree with their findings," he said.

Olinger said that he found an "unusual" pattern in Ruby's tracings but would not call it an "abnormality" nor positively indicative of any specific disorder.

On cross-examination by

Belli, Olinger admitted he is not certified by any boards of psychiatry, psychology, neurology or electroencephalography.

In going over Ruby's tracings in a close huddle with the jury, Olinger admitted that the unusual patterns were suggestive of several possibilities—including psychomotor epilepsy.

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AN EXPERT EXPLANATION OF HATE

Oswald & Ruby Both Needed LoveBy JOHN TACKETT
Scripps-Howard Staff Writer

DALLAS, March 12—If Jack Ruby hadn't sidetracked the wheels of justice by shooting Lee Harvey Oswald, the jury trying Oswald would have heard many things about him that now are being said about Ruby.

Oswald, accused assassin of President Kennedy once was diagnosed an an incipient schizophrenic. Expert witnesses diagnosed Ruby as a psychomotor epileptic. But many syndromes used in outlining the mental condition of both men are the same.

Dr. Renatus Hartogs, chief psychiatrist at New York's Youth House for Boys, made a deep study of Oswald's mind.

MALE ROLE

His findings, according to a recent magazine story, showed that Oswald "appeared to be preoccupied about his sexual

identity and his future role as a male."

Dr. Manfred Guttmacher, chief medical officer for the Supreme Bench of Baltimore, testified in Ruby's trial here, that Ruby has a "psychosexual conflict."

This causes him to act manly out of a "narcissistic concern" with his appearance, Dr. Guttmacher said.

• Oswald was reported as "guarded" . . . and suspicious in dealings with the psychiatrist.

• Ruby "exhibits a mistrust of his lawyers and psychiatrists, Dr. Guttmacher said.

• Oswald had a "strong need for maternal warmth but also an awareness that a limited amount of affection was available."

• Ruby "was deprived of his love for both parents," and had

a "voracious need to be loved by everyone."

• Oswald wanted the world to know he was important.

• Oswald kept hostility pent up inside and was considered "potentially dangerous."

• Ruby "seethes with hostility."

• Oswald seemed calm after he was arrested and charged; Ruby also seemed calm after shooting Oswald.

RUBY'S CALMNESS

Ruby's calmness was attributed to his general mental problem. A normal person would have been excited, Dr. Guttmacher said.

If there could be a conscience struggle more arduous than the one Ruby's jury is undergoing in weighing his sanity plea, it would be the struggle of weighing a like plea for Oswald.

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State Witnesses Strike at Claims Of Ruby Defense

Attorneys Rest Case Abruptly

By HUGH AYNESWORTH and
CARL FREUND

Dist. Atty. Henry Wade spent most of the day Wednesday parading psychiatrists to the stand to demolish ~~earlier~~ defense claims that Jack Ruby "blacked out" from psychomotor epilepsy before shooting Lee Harvey Oswald.

The day in court had begun with the defense abruptly resting its case only nine minutes after court convened.

Wade then began presenting medical testimony that Ruby was legally sane when he pulled the trigger of his Colt Cobra revolver and sent a lethal bullet into the 24-year-old Marxist accused of assassinating President John F. Kennedy.

The district attorney also presented testimony that "brain wave" tests do not show Ruby suffered organic brain damage.

The testimony struck at the heart of Ruby's defense.

His lawyers claim the 52-year-old manager of a striptease club "cracked up" under a severe emotional strain and shot Oswald without knowing what he was doing.

Dr. Manfred Guttmacher, a Baltimore psychiatrist who became the star defense witness, had testified Tuesday that Ruby was insane when he shot Oswald Nov. 24 while millions watched on their television screens.

Another defense witness, Dr. Martin Towler of the University of Texas Medical School at Galveston, told jurors that Ruby was subject to blackout spells in which he would "perform like an automaton."

Wade challenged this testimony

(Indicate page, name of newspaper, city and state.)

1 "The Dallas
Morning News"
Dallas, Texas

Date: 3-19-64

Edition:

Author:

Editor:

Title:

Jack B. Krueger

Character:

or

Classification:

Submitting Office:

Dallas

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by calling other psychiatrists to the stand.

Dr. John Holbrook, a 40-year-old Dallas psychiatrist who examined Ruby less than 24 hours after Oswald was shot, testified the slayer was sane when he pulled the trigger.

"I felt he did know the difference between right and wrong and did know the nature and consequences of his act at that time," Dr. Holbrook told the jury.

Dr. Robert Stubblefield, chairman of the psychiatry department of the University of Texas Southwestern Medical School here, said he believed Ruby legally sane when he examined him.

Dr. Stubblefield said he could not state positively that Ruby also was sane at the time he killed Oswald. But, the psychiatrist said, in reply to a lengthy question, he would assume that Ruby was sane if testimony of prosecution witnesses is true.

STILL ANOTHER psychiatrist, Dr. Earle Walter of Johns Hopkins University in Baltimore, said Ruby's electroencephalograms (brain wave readings) showed "no indication of epilepsy."

Peter Kellaway of Houston, who said he supervises more than a thousand electroencephalographic tests a month, and Dr. Sheff Olinger, who gave Ruby two tests at the Dallas Neurological Clinic, challenged the contention that the slayer is a victim of psychomotor epilepsy.

The defense abruptly rested its basic case when jurors filed into the courtroom Wednesday morning.

Melvin Belli, the chief defense lawyer, arose and told Judge Joe B. Brown, "The defense rests, your honor."

DEFENSE LAWYERS felt they had fired their big gun with testimony from Dr. Guttmacher. There was little sense, they reasoned, in following it with firecrackers.

The defense announcement gave Wade a chance to attack the defense case. His assistants sent out a rush call for doctors scheduled

to testify as prosecution witnesses. The state's first rebuttal witness was Ira M. Walker, a technician for WBAP-TV, who testified he was working as a sound man in a mobile unit parked right outside the Commerce Street entrance to the City Hall basement on Nov. 24.

Q—(BY WADE). At that time did you see the defendant, Jack Ruby?

A—Yes sir, I did.

Q—Could you tell the jury what time it was when you first saw him?

A—Only that it was after 10:30 (a.m.). We were on a standby basis awaiting the transfer of Oswald. I know it was after 10:30.

Q—Tell the jury where you saw him and what he said to you.

A—All I could see was his face in the window and he said 'Have they brought him down yet?'

Q—Did you see him later?

A—Yes sir.

Q—What did he say then?

A—The same thing: 'Have they brought him down yet?'

TONAHILL HANDLED the cross-examination.

Q—(By Tonahill). How long have you known Jack Ruby?

A—I don't know him.

Q—Then you could be confused as to Ruby's identity?

A—No sir, I don't believe so.

Q—Was his voice normal, calm, quiet?

A—It sounded normal to me.

Q—Do you know who he was referring to when he said, 'Have they brought him down yet?' Was he speaking of Capt. Fritz? Or who?

A—No sir, but we were all waiting for Oswald to be brought down.

Q—ONCE AGAIN, when did you see him?

A—I said that I could only say it was sometime between 10:30 and the shooting.

Q—It could have been at 11:20, just before the shooting?

A—I don't even know what time the shooting was.

More

Q—Well, then, it could have been 11:20?

A—It possibly could have been. Frank Johnston, a United Press International photographer who was in the basement at the time of the shooting, was next.

He said the first time he noted Ruby was when Ruby leaped out of the crowd and shot.

Q—Did you hear him (Ruby) say anything?

A—I heard him say, 'You SOB,' and then the gun went off.

TONAHILL cross-examined and asked if Johnston had heard officers shout "SOB" at that time. Johnston said no.

Tonahill asked him if he could state that Ruby actually said that. The photographer said he was but three feet away but that he was facing in the opposite direction and could not swear that it was Ruby.

Dr. Olinger, who had given Ruby electroencephalographic tests, said he was a graduate of the University of Virginia Medical School, took special training in electroencephalography at the University of Michigan and set up practice in 1959.

DR. OLINGER, questioned by Alexander, told of several routine tests given Ruby. All were normal, he said.

Q—Now I ask you, doctor, tell the jury whether the EEG indicates anything significant?

A—Not in my opinion.

Q—Tell the jury what your interpretation of the EEG is?

A—The EEGs were interpreted by me as showing nonspecific changes. In the record there are two questionable factors. The background is normal. There are discharges that are slower and higher in amplitude. The significance of these changes I would call minor.

Q—Would these changes support a diagnosis of psychomotor epilepsy?

A—They would not establish such a diagnosis. If I had a clinical opinion that a person had epilepsy, this would support it. But not by themselves would they support a diagnosis of epilepsy.

Q—DO YOU AGREE or disagree with Dr. Martin Towler's report?

A—I disagree.

Dr. Holbrook and Dr. Stubblefield said Ruby refused to discuss the shooting of Oswald with them.

"He refused on the advice of his attorney," Dr. Stubblefield said.

First Assistant Dist. Atty. A. D. Jim Bowie asked Dr. Stubblefield:

"Doctor, from your conversations with him, were you able to form some opinion whether he was sane . . . whether he knew right from wrong and the nature and consequences of his acts?"

A. I felt he was competent to stand trial.

Q. And legally sane?

A. Yes, sir.

Q. COULD YOU SAY whether he knew right from wrong and the nature and consequences of his acts when he shot Lee Harvey Oswald?

A. I could not express an opinion whether he was sane at that time since he refused to talk about it.

Bowie then reviewed testimony of Dallas detectives who said they heard Ruby call Oswald a "rat son of a bitch" and express a hope that the assassination suspect would die from his wound.

If this testimony was correct, Dr. Stubblefield replied, he would conclude Ruby was sane when he shot Oswald.

Assistant Dist. Atty. William F. Alexander asked Dr. Holbrook about testimony from Dr. Roy Schafer, a Yale psychologist who said he believed Ruby suffered from psychomotor epilepsy.

Q. Do you agree or disagree with Dr. Schafer's diagnosis?

A. I disagree very strongly with the part of it which says Jack Ruby has brain damage.

Q. WITH REGARD TO determining brain damage from psychological tests, could I not do just as well by flipping a coin? I could not be completely right or completely wrong, could I?

A. (Over defense objections) That is about right.

Q. Doctor, is it your opinion

that he was sane when he shot Lee Harvey Oswald and that he is sane now?

A. Do you want me to say whether he knew right from wrong and the nature and consequences of his act?

Q. Yes, that is right, doctor.

Dr. Holbrook explained he is convinced Ruby knew right from wrong when he shot Oswald. The psychiatrist noted that he has not examined Ruby since he underwent the laboratory tests in January and cannot make a positive statement about his condition now.

BUT, DR. HOLBROOK said, his knowledge of Ruby's condition leads him to believe the slayer is still sane.

After a few other witnesses, questioned briefly, Wade rested his rebuttal case at 5:22 p.m. and the defense resumed.

First defense rebuttal witness was Lt. Jack Revill, Dallas police officer.

Tonahill asked Revill to examine an exhibit—a picture taken at the time Ruby shot Oswald—and tell the jury where fellow officer Thomas McMillon was standing when the picture was taken.

Revill showed him and Tonahill said:

"NOW I KNOW you wouldn't want to call another officer a liar, but if this man said he was looking at Jack Ruby when he came up there, he's a liar, isn't he?"

The state objected and the judge sustained it.

Tonahill was trying to prove to the jury that McMillon, who testified earlier that he heard Ruby say, "You rat son of a bitch, you killed the President," just as he fired, was not close enough to have heard what Ruby said.

Following Revill was Mrs. Eileen Kaminsky of Chicago, one of Ruby's sisters.

Belli asked her one question: "Has Jack at any time been convicted of a felony?"

"No," she said, and was promptly excused when the state wanted no cross-examination.

MRS. ELEANOR PITTS, who

had been Ruby's housekeeper prior to the Nov. 24 shooting, testified next and said, "Jack sure was talking funny" when she called him that morning to make arrangements for her to come and clean his apartment.

She said Ruby rambled on and on and once she said, "Is this Jack Ruby I'm talking to?"

Mrs. Pitts said she always called in advance because she was afraid of Sheba, Ruby's favorite dog. She said Ruby told her to come to work later in the day but "be sure to call first."

Phil Burleson handled the questioning of Detective Billy H. Combest, a vice squad officer who stood about three feet from Oswald when he was shot down.

COMBEST ADMITTED that he helled "Jack, you son of a bitch, don't" as Ruby sprang toward Oswald.

Q—Did you recognize him?

A—Yes.

Q—Did you see his face?

A—Only a glimpse of it.

Q—Did you hear him say anything?

A—I could see his lips moving but couldn't make out what he was saying.

Q—How loud did you say what you said?

A—I said it, but I don't know how loud.

Q—Were you excited?

A—Yes, I was.

Alexander took over the questioning when Burleson passed the witness to the state.

Q—Was Jack Ruby still talking in the jail office after the shooting?

A—Yes, but I don't recall what he said.

Q—WAS HE TALKING on his way to the elevator?

A—Yes, he was talking.

Q—Just before he shot, were his lips moving?

A—Yes sir.

Burleson again: "Did you see his face? Was he calm?"

A—Best I could recall, he looked determined.

Q—Would you say this deter-

mined look was a calm look?

Objection and sustained.

Q—You've seen him many

times, haven't you?

A—Yes.

Q—Was his face apparently normal?

A—Possibly more determined than usual.

A SURPRISE WITNESS for the

state was pistol expert Alfred

Breninger, who said it was not

abnormal for a man to fire a

pistol with his middle finger.

The defense claims Ruby used this finger and was "in a spasm" as he shot. Breninger, a retired U.S. Army colonel, said it was common practice to use the second finger.

He called it "instinct shooting" and said it was "much speedier for shooting at short distances."

He demonstrated how in such a case the index finger serves as a guide for the barrel as the middle finger pulls the trigger.

Prosecutor Poses 3-Minute Question

A prosecutor started asking a question in the Jack Ruby murder trial Wednesday and spectators wondered whether it would ever end.

Assistant Dist. Atty. A. D. Jim Bowie needed almost three minutes (including time for interruptions from the defense) to ask the question while Dr. Robert Stubblefield, a psychiatry professor at the University of Texas Southwestern Medical School here, was on the stand.

"Assume Jack Ruby on Nov. 24 was at a Western Union station and was calm, deliberate and normal," Bowie began.

"And assume that he proceeded from there at a normal pace to the basement of the City Hall, at which time he observed Lee Har-

vey Oswald, removed a pistol from his pocket, crouched, and said, 'You rat son of a bitch, you killed the President' and then killed Oswald . . ."

Bowie paused to catch his breath, then resumed the hypothetical question:

"Assume that, as he was grappled to the ground, he said, 'You guys know me. I'm Jack Ruby,' and later, 'I hope the son of a bitch dies.'"

"And assume he further stated, 'I would have got off three shots, but you guys prevented me,' and further stated, 'Somebody had to do it and you guys couldn't,' and further stated, 'I first thought about killing him when I saw him at a showup Friday night.'"

"Now assuming all this, plus all the historical background you have plus the reports of the doctors, I ask you as an expert on psychiatry whether you can form an opinion whether Jack Ruby was of sound mind and knew the difference between right and wrong and knew the consequences of his acts at that time?"

Dr. Stubblefield needed only a few seconds to reply.

"If I assume these facts, he would know the difference between right and wrong and he would know the nature and quality of his acts," Dr. Stubblefield testified.

★ RUBY TURNS TO READING

While attorneys in the Jack Ruby murder trial were arguing over medical evidence Wednesday, Ruby put on his glasses and became absorbed in a book.

It was titled "The Mind of The Murderer," and was written by psychiatrist Dr. Manfred Guttmacher, star witness for the defense.

RUBY CASE CHARGE

Judge to Tell Jury Limits of Choice

The jury, and the jury alone, must decide who is telling the truth in the Jack Ruby murder trial.

When Judge Joe B. Brown gives his instructions to jurors in a legal document known as the court's charge, he will tell them:

"You must accept the law as given you by the court, but you are the sole judges of the credibility of the witnesses."

State laws prohibit judges in criminal cases from commenting on testimony or implying that they do not believe certain witnesses.

Even a casual comment by a judge can lead the Court of Criminal Appeals to grant a new trial.

Jurors may consider the demeanor of witnesses, their interest in the outcome of the trial and conflicts in testimony while deciding who is worthy of belief.

Prosecutors will emphasize in their closing arguments that Ruby's relatives and close friends have a vital interest in the outcome of the trial.

Dist. Atty. Henry Wade and his assistants will urge jurors to con-

sider this factor when they weigh the testimony.

Defense lawyers will argue that Dallas police officers, who gave damaging testimony against Ruby, also have a personal interest in the outcome of the trial since the shooting of Lee Harvey Oswald "embarrassed" the Dallas Police Department.

Each side will point to discrepancies in testimony while trying to sway the jury.

If jurors disagree during deliberations over what a witness said, they may send a note to Judge Brown. Then he will call them back to the jury box and have the court reporter read the testimony to them.

Signs Show Ruby Won't Take Stand

Jack Ruby will not testify at his murder trial.

That became virtually certain Wednesday.

Defense lawyers rested their basic case without putting the slayer on the stand and indicated they had no intention of calling him during rebuttal testimony.

They set the stage for keeping him off the stand with testimony from Dr. Manfred Guttmacher, a Baltimore psychiatrist.

Dr. Guttmacher said Ruby might go berserk in the courtroom if subjected to the strain of questioning.

Actually, defense lawyers got much of Ruby's "testimony" before the jury without giving prosecutors a chance to cross-examine him.

They did so by asking psychiatrist and a psychologist what Ruby told them.

Normally, defense witnesses are not allowed to repeat what a suspect told them. The law makes an exception, however, when these witnesses are experts who consider the statements of a defendant in diagnosing his condition.

ON THE LINE:**The Judge or the Judged?**

By BOB CONSIDINE

DALLAS: Judge Joe Brown listened with great interest to psychologist-neurologist Dr. Martin Towler's rundown on Jack Ruby's psychomotor epilepsy symptoms.

He heard the doctor quote Ruby as saying, "My head is cracking up." He heard Ruby described as "a victim of insomnia, forgetfulness, arguments; a man who was fractious, irritable, filled with an overwhelming anxiety and apprehension, despair and a feeling of impending disaster."



CONSIDINE

"By golly, I thought for a moment he was talking about me," the judge said, when he made a friendly visit to the press room. "I've got all those symptoms myself, I think."

He leaned over a New York girl reporter and said, "Let me see what you're writing there."

He read for a bit, then said, "Oh, oh, not that. You've got me reading the wrong papers up there on the bench. Strike it out, honey," and sauntered off for lunch.

CORONET magazine's piece in the current issue, "Don't Blame Dallas," written by former Mayor Earle Cabell, suggests that the best monument the city could erect to the late President's memory would be to adopt, city-wide, the compassionate attitude of his widow.

Mrs. Cabell, in effect the hostess of the First Lady, was standing next to her at Parkland Hospital when the word arrived from the operating room that the President was dead. She reached out her hand to support Mrs. Kennedy, and, on orders, to start her for the airport and the trip back to Washington.

"Thanks for all you have done," were the first words Mrs. Kennedy said. There was no rancor. The ex-

mayor thinks a city with a way of life based on that kind of reasoning would be a more lasting tribute to JFK than anything it could build of stone and bronze.

We cannot vouch for the figures, but the same article offers an arresting statistic. The odds against the streak of events that hit Dallas from 1960 until Jack Ruby shot Lee Oswald are 1,600,000,000 to one. At least, that's what the computer of a local insurance firm figured out when fed the following set of propositions.

Odds were 300-to-1 that Lyndon Johnson and his Lady Bird would not be roughed up when they campaigned here during the 1960 Presidential race. They were 300 to 1 that Adlai Stevenson would not be spat upon and conked with an anti-UN placard.

They were 200-to-1 that President Kennedy would not be shot by a sniper during a parade, and 200-to-1 that his suspected assassin would not be mowed down while under police protection.

Fed into the maw of the electric brain, the cards were chewed to a million pieces and out popped the answer: 1,600,000,000 to one against these things happening in the same city.

Just as well the article was written some time ago. If it had been held up until last week it would have had to include the odds against a jail-break on national TV, just outside Ruby's courtroom.

The computer would have dissolved into a molten mass.

LADY at a dinner in Houston the other night said, out of the blue, "Don't tell ME about that PT-109 nonsense. Everybody knows that Kennedy turned that little old speedboat right in front of that Japanese destroyer just so he could get shipwrecked and get all that publicity."

IT WAS a relief to get back to dear old gentle Dallas.

Tolson ☒
Belmont ☒
Mohr ☒
Casper ☒
Callahan ☒
Conrad ☒
DeLoach ☒
Evans ☒
Gale ☒
Rosen ☒
Sullivan ☒
Tavel ☒
Trotter ☒
Tele Room ☒
Holmes ☒
Gandy ☒

The Washington Post and Times Herald _____
The Washington Daily News _____
The Evening Star _____
New York Herald Tribune _____
New York Journal-American _____
New York Mirror _____
New York Daily News _____
New York Post _____
The New York Times _____
The Worker _____
The New Leader _____
The Wall Street Journal _____
The National Observer _____
People's World _____
Date _____

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128 MAR 18 1964

Tolson ☒
 Belmont ☒
 Mohr ☒
 Casper ☐
 Callahan ☐
 Conrad ☐
 DeLoach ☒
 Evans ☐
 Gale ☒
 Rosen ☒
 Sullivan ☒
 Tavel ☐
 Trotter ☐
 Tele. Room ☐
 Holmes ☐
 Gandy ☐

UPI-39

(RUBY)

DALLAS--JACK RUBY'S DEFENSE ABRUPTLY RESTED ITS CASE TODAY, TAKING THE COURT BY SURPRISE.

THE JURY OF EIGHT MEN AND FOUR WOMEN HAD JUST FILED INTO THE BOX AT 10:07 A.M. EST FOR THE START OF A SESSION EXPECTED TO PRODUCE CHARACTER WITNESSES WHEN DEFENSE ATTORNEY MELVIN BELLI ROSE AND CALMLY ADDRESSED JUDGE JOE B. BROWN:

"THE DEFENSE RESTS, YOUR HONOR."

RUBY NEVER APPEARED ON THE STAND TO DEFEND HIMSELF.

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128 MAR 11 1964

WASHINGTON CAPITAL NEWS SERVICE

(Mount Clipping in Space Below)

Doctor Says Ruby Insane

By HUGH AYNESWORTH
And CARL FREUND

A defense psychiatrist testified Tuesday that Jack Ruby was legally insane when he shot the Marxist accused of assassinating President John F. Kennedy.

Dr. Manfred Guttmacher of Baltimore, Md., said he is convinced Ruby could not distinguish between right and wrong when he fired a lethal bullet into Lee Harvey Oswald while millions watched on television.

Melvin Belli, the chief defense lawyer, called Dr. Guttmacher to the stand after telling reporters, "We either make it or break it this afternoon."

DR. GUTTMACHER was the star witness for the defense. And Belli wasted no time in getting to the heart of the defense contention that Ruby was temporarily insane when he shot Oswald in the City Hall basement Nov. 24.

As soon as the psychiatrist settled into the witness chair, Belli asked:

"Do you have an opinion to whether Ruby feared

nature and consequences of his act and knew the difference between right and wrong?"

This is the test of insanity under Texas law.

Dr. Guttmacher, who examined Ruby in his county jail cell, answered immediately:

"I DON'T THINK he was capable of distinguishing between right and wrong or knowing the nature and quality of his act at the time of the homicide."

Another psychiatrist called as a defense witness, Dr. Martin

(Indicate page, name of newspaper, city and state.)

1 "The Dallas
Morning News"
Dallas, Texas

Date: 11-6-4
Edition:
Author:
Editor:
Title: Jack B. Krueger

Character:
or
Classification:
Submitting Office: Dallas

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Towler of the University of Texas medical school at Galveston, testified Ruby was subject to blackout seizures in which he "would perform as an automaton."

Dr. Towler also showed jurors results of "brain wave" tests given Ruby and said they showed "abnormalities."

The psychiatrist said, however, that he "has no way of knowing" whether Ruby could distinguish between right and wrong when he shot Oswald.

REPLYING TO a question by Dist. Atty. Henry Wade, Dr. Towler told jurors he could not say positively that Ruby "blacked out" before shooting Oswald.

Wade asked:

"You have no opinion concerning whether the defendant knew right from wrong or whether he was in a seizure at the time he shot Lee Harvey Oswald?"

Dr. Towler answered:

"I have no opinion and I have no way of knowing that."

Ruby appeared fascinated when the sandy-haired psychiatrist began explaining results of electroencephalograph tests which recorded impulses given off by the brain of the 52-year-old slayer.

BUT, AS DR. TOWLER continued to describe the significance of various markings on graph-like paper, Ruby seemed to become bored.

After testifying that he believed Ruby insane when he pulled the trigger, Dr. Guttmacher told jurors:

—Ruby has suicidal impulses which could lead him to try to kill himself.

Ruby might go berserk in the courtroom, and even try to end his life in the presence of jurors, if put on the witness stand.

—Ruby is an extremely lonely individual tortured by an inner sexual conflict and an abnormal desire to be "accepted and admired by everyone."

—THE BALDING slayer was proud of his body, almost to the standpoint of being vain, and worried that he would lose the rest of his hair.

Both psychiatrists said Ruby's emotional problems resulted partially from the "wretched" childhood he spent in a tough neighborhood in Chicago. They said they had been told his father was a drunken tyrant and his mother became a patient in an Illinois mental hospital.

One of the sharpest exchanges of the trial, now in its fourth week, erupted during questioning of Dr. Guttmacher.

I started when Wade asked Judge Joe B. Brown to order Dr. Guttmacher to stop giving "rambling" answers.

BELLI, WHO HAS privately referred to psychiatrists as "head shrinkers," jumped to his feet and shouted:

"This is cornball talk and I resent it. He's insulting this distinguished psychiatrist."

"Well, he was rambling," Wade insisted.

"That's because you don't understand it," Belli shot back. "Coming from someone who lives in Dallas, a city which prides itself on its sophistication, it's an insult. It's the height of ignorance."

Meanwhile, First Assistant Dist. Atty. A. D. Jim Bowie was shouting that Belli should "learn something" about Texas law.

Belli said last week that Ruby would testify in his defense. Now he says the slayer won't take the stand.

JUDGE BROWN will tell jurors they cannot consider Ruby's failure to testify, Belli knows, however, that jurors often ask themselves why a defendant failed to testify.

Dr. Guttmacher's testimony would give them a reason.

The psychiatrist, who is nationally recognized, said Ruby might "crack up" if subjected to the pressure of testifying in the heavily guarded courtroom. On the other hand, Dr. Guttmacher said, he might remain calm.

"There is no way of knowing," he commented.

Dr. Guttmacher said Ruby regarded the Kennedys as a model family and closely identified himself with them.

THE PSYCHIATRIST said Ruby struggled to keep his sanity after the assassination. Then, the witness said, Ruby saw Oswald and regarded the 24-year-old Communist sympathizer as looking like "a rat, a cunning vicious animal . . ."

That was too much for the

tortured mind, Dr. Guttmacher said.

Waiting outside the courtroom was Oswald's mother, Mrs. Marguerite Oswald of Fort Worth, who came to Dallas to attend the trial.

Saying they feared she would disrupt the trial with outbursts if allowed in the courtroom, prosecutors subpoenaed Mrs. Oswald as a witness. This forced her to stay outside.

ANOTHER WITNESS, Leo Torti, scuffled briefly with Deputy Sheriff Charles Player after Player barred him from entering the courtroom.

Torti, a defense witness, was released after he explained that he merely wanted to get permission to leave the waiting area long enough to get a late breakfast.

Both Dr. Guttmacher and Dr. Towler cited impressive backgrounds upon taking the stand. Dr. Guttmacher serves as a psychiatrist for the Baltimore courts, advises the Army in the field of psychiatry and teaches at John Hopkins University. Dr. Towler teaches at the Galveston medical school and serves on the staff of John Sealy Hospital there.

DR. TOWLER testified throughout the morning session.

Leaving the witness stand midway through his testimony, he went to the jury box and showed jurors results of tests which he and two other psychiatrists gave Ruby.

Leaning forward, Ruby tried to keep up with the testimony. But it was difficult, and he soon gave up.

Apparently bored, he let out a big yawn.

Belli asked Dr. Towler, "What did Ruby tell you?"

A. He told me about spells that he had.

Q. Were these spells, as he called them, transient in nature?

A. Yes, they were. His worst spells lasted 30 to 40 seconds. During these spells, he said, he felt uneasy and that his head was cracking open.

Q. WHAT ELSE did he say?

A. He said he did not lose consciousness, but felt that he was about to black out . . . He mentioned that, during a trip to New York, he had the sensation of having been there before although he had not.

Dr. Towler said Ruby also mentioned a "prickly sensation" during these spells.

Q. Did he remember how long he had had these spells?

A. He said the spells began 15 or 20 years ago. In the same session, he guessed they started 8 or 9 years ago. In another session, he said 4 or 5 years ago and in still another he didn't know.

Q. Did he say he had consulted with a physician?

A. I asked him and he replied negatively.

DR. TOWLER SAID Ruby also mentioned other spells while he was in bed at night.

"He said he had felt a cramping sensation throughout his body and felt like his whole body was being paralyzed," the psychiatrist related.

Q. What about his general physical condition?

A. It was apparent that the subject was a health addict. He seemed to take pride in his physical well being. He was interested in health fads.

Dr. Towler used the words "psychomotor variance," while referring to his diagnosis. But Belli used the words, "psychomotor epilepsy," and the psychiatrist did not dispute him.

PROSECUTORS PLAN to call Dr. John Holbrook, another member of the team of three psychiatrists which gave laboratory tests to Ruby. They say he will challenge the diagnosis of "psychomotor epilepsy" and will testify that Ruby knew right from wrong. They say other psychiatrists to back up their theory are also ready to call into contention that Ruby was—and is—sane.

Dr. Towler also used the words "seizure disorder" to describe Ruby's condition. Belli asked about the symptoms.

A. They may feel an overwhelming sense of despondency or despair. Or they may have other symptoms.

Q. Can you tell us what they do in spells? Can they carry on normal activities?

A. **THEY MAY** perform their usual day-to-day tasks. They may do so with great precision. They may drive an automobile. I recall one case in which an enlisted man took the commanding general's car, drove it three blocks and then wrecked it.

while in a seizure. We call it "automaton."

Q. In these spells does a man know what he is doing?

Dr. Towler said a man in a seizure may remember nothing that transpired or may recall bits of the events which took place. He said they may try to fill in the blank spots with imaginary material.

Both Dr. Towler and Dr. Guttmacher said Ruby and his relatives related various incidents in which the slayer suffered head injuries. These involved accidental falls, a car wreck and brawls.

THEY SAID THESE incidents could have caused brain damage. Or, they said, it is possible that Ruby contracted encephalitis and this affected his brain during a "prolonged seige" of influenza in 1918.

Reading from his report, Dr. Guttmacher said Ruby's inner sex conflict revealed itself in his fights and his desire to exhibit his body.

(A stripper who worked in Ruby's club testified Monday that he liked to come into the dressing room used by her and other entertainers and "show off his muscles.")

The jury had already heard testimony from Dr. Guttmacher that Ruby stated he had contracted gonorrhea on five occasions.

DR. GUTTMACHER told jurors he concluded Ruby was "an extremely impulsive individual who acts before he thinks."

Referring to his report, the Baltimore psychiatrist said:

"I think we are dealing with a very abnormal individual who has an abnormal personality structure. We have here a man who struggled to keep his sanity. He felt a deep degree of involvement. There was a disruption of his ego."

Belli asked, "What do you mean?"

"His defenses crumbled," the psychiatrist replied.

Q. What did he tell you about President Kennedy?

A. He told me, "I fell for him."

Dr. Guttmacher said Ruby referred to the President with words most people use to describe a romance.

THE PSYCHIATRIST said Ruby admired President Kennedy as "The leading member of a model family" and compared the apparently happy life of the Kennedys with his own "wretched" boyhood.

Dr. Guttmacher also testified over objections of prosecutors that Ruby, a Jew, was "actually aware that he was a member of a minority group" and that the slayer admired the strong stand taken by the President on the civil rights issue.

The psychiatrist said he was told that Ruby was "greatly disturbed" by a Dallas News ad which criticized President Kennedy and by pictures which showed Mrs. Kennedy with blood on her dress after the assassination.

BELLI ASKED, "What did Ruby tell you?"

"He said he didn't want to go on living any more after the assassination."

The defense lawyer asked Dr. Guttmacher:

"What do you think happened at the time Jack Ruby shot Lee Harvey Oswald?"

The psychiatrist replied:

"I think we're dealing with a very abnormal individual with a very abnormal personality structure who has a very weak ego structure and was under a very great emotional impact for a couple of days.

"I THINK he was struggling to keep his sanity during this period. I think he had an unusual amount of involvement in the whole tragedy, and I think he came upon this perpetrator of the assassination and, with this, a disruption of his ego. I think there was a psychotic episode. . . .

"All his defenses crumbled and his hostile, aggressive feelings came to the fore and focused on this one individual with the homicide resulting."

Prosecutors have suggested that Ruby shot Oswald in the mistaken belief it would bring him "fame and fortune." They pictured Ruby as a cold-blooded killer who plotted and carried out an execution.

A detective stated that he heard Ruby say he intended to fire three shots. Detectives also quoted Ruby as calling Oswald a "son of a bitch."

DR. GUTTMACHER said Ruby did not use these words when he (the psychiatrist) asked Ruby to recall what happened in the City Hall basement.

The psychiatrist said Ruby told him:

"When Oswald came out, he had very smirky eyes. He looked like a rat, an animal, a Communist. I don't recall whether I said, 'You killed my president' or whether I said anything at all."

Guttmacher, under cross-examination by Assistant Dist. Atty. William Alexander, told about a "crack-up" Ruby suffered in 1952.

"He locked himself in the Cotton Bowl Hotel for weeks," the psychiatrist said, "and said he almost committed suicide, but didn't have the guts."

Q—What set off this seizure?

A—He told me it was because he had just lost the Silver Spur (a South Dallas night club) and was despondent.

ALEXANDER SAID Ruby still had the Silver Spur and had acquired the Club Vegas by 1954.

"If you found he wasn't telling you the truth about these facts would that make a difference?" Alexander asked.

Guttmacher said he wasn't sure, that there were inaccuracies in everybody's account of their life.

BELLI WAS adamant when Alexander asked Dr. Guttmacher if Ruby told him about trying to sell Jeeps to Castro.

Ruby's chief attorney jumped up, straightened his hair and shouted, "I demand an offer of proof. It may be funny to these people (pointing toward spectators and press) but not to me."

Alexander rephrased the question.

Q—Did he tell you the purpose of his trip to Cuba?

A—To make some money.

ALEXANDER DROPPED the fact that Ruby attempted to gain admittance—with sandwiches—to the Homicide Department of the police station the night of Nov. 22.

Q—Would it make any difference in your opinion about Ruby if he was trying to take sandwiches into the Homicide Bureau to get near Oswald?

A—Oh, if he was like other people, curiosity seekers trying to see this man, I can't see how it would have great bearing.

"If it were to identify him for a later shooting," the doctor continued, "then it would, yes."

Q—At what specific time did Ruby enter this fugue state?

A—In my opinion when he walked down the ramp there, saw all the people, the bright lights, and . . .

Q—WOULD THE FACT that Ruby sold his life story for money make any difference to you?

A—No.

Q—Would the fact that he looked forward to making money out of killing Lee Harvey Oswald change your opinion?

A—I don't think it would.

Q—Would he have been sane if he knew what happened, where he was and if he understood the consequences of his deed?

A—If all those things were known, it would not have been the act of an unsound mind . . . and if he had a clear memory of the episode.

Guttmacher said he took into consideration the fact that Ruby had spent several weeks in jail and had formally been charged with murder and faced with the death penalty before the examinations had been made.

ALEXANDER CONTINUED:

"Would it make any difference to you if some of the facts Jack Ruby told you were proved false?"

A—It would depend on which they were.

Alexander introduced several passages from Guttmacher's book, "Psychiatry and the Law" and excerpts from a 1961 speech presented in California.

One of the statements Alexander supplied from the book said:

"Epilepsy is anything but a temporary affliction."

Guttmacher said, "I cannot tell you who wrote that, but it's there." He suggested that a co-author wrote that particular sentence.

ANOTHER EXCERPT read "Temporary insanity exists only in the courtroom."

"Those things (the writings) do not apply to this case," said Guttmacher.

Shortly after this, Belli objected to the prosecution interrupting the witness. Wade jumped up and shouted:

"Judge, are you gonna let that lawyer call us ignorant and all that?"

"You were a cornball a long time ago," Belli said. "And he (pointing to Alexander) called the people of Dallas peasants and you know it, and he called him a Jew boy, too (sweeping his arm to point at Ruby)."

Joe Tonahill jumped up, pointed to Alexander and boomed: "And he took the Lord's name in vain, too, your honor."

The audience guffawed loudly and the judge called things to order. Belli apologized as he usually does after such an outburst, then said:

"It might be well for them to do a little apologizing, too."

5

Wade Sidetracks Oswald's Mother

Dist. Atty. Henry Wade blocked Mrs. Marguerite Oswald Tuesday from attending the murder trial of Jack Ruby, the striptease club manager who shot her son to death.

Wade also cut short a press conference which Mrs. Oswald started in a corridor outside the courtroom.

The district attorney did so by subpoenaing Mrs. Oswald as a prosecution witness.

Judge Joe B. Brown informed Mrs. Oswald that witnesses had been placed "under the rule." This means they must remain outside the courtroom and are allowed to discuss the case only with lawyers.

The mother of Lee Harvey Oswald, who was shot by Ruby while millions watched on television, let reporters know that she didn't approve of Wade's strategy.

"If this is justice, I want no part of it," she declared. "My dander is up. This is what I don't like . . . I don't like being pushed."

Prosecutors indicated they had no intention of placing Mrs. Oswald on the stand.

First Assistant Dist. Atty. A. D. Jim Bowie said they didn't want Mrs. Oswald in the courtroom because they feared she might disrupt the trial with an outburst. Bowie noted this could force Judge Brown to end the trial abruptly and start over trying Ruby.

Clad in a black dress, her grey hair pulled into a tight bun, Mrs. Oswald stood in a corridor outside the courtroom and began holding a press conference shortly before testimony started.

She was only a few feet from a bench reserved for witnesses.

Above it were two signs. One said "Witnesses Only" while the other warned, "Do Not Talk to Witnesses."

Mrs. Oswald told reporters, "I have thought this over thoroughly and I have now decided to attend the trial. I think this will satisfy me as a mother. This should really be Lee's trial and my presence may give me just some little new clue."

Sheriff Bill Decker pushed his way through the cluster of cameramen and reporters, saying, "She has been subpoenaed. She is now a witness."



—Associated Press Photo.

Mrs. Marguerite Oswald waves the subpoena which Sheriff Bill Decker handed her when she arrived at the Jack Ruby murder trial in Dallas Tuesday.

ERROR

Witness Seized by Deputies

A defense witness in the Jack Ruby murder trial was arrested and detained by sheriff's deputies Tuesday morning when officers misunderstood his intentions as he tried to enter the crowded courtroom.

Leo Torti, who served as secretary of the corporation owning the Carousel Club which Ruby managed, was seized in the small anteroom outside the court.

Deputies said they did not know that he was a witness and that Torti had not told them who he was.

A multitude of reporters and photographers waiting in the corridor saw the exchange between Torti and deputies.

When special lights used for television and movie cameras were switched on, Torti refused to obey deputies' orders to leave the anteroom because he didn't want to "go before those cameras."

Torti told officers he was trying to get into the courtroom to tell defense attorney Phil Burleson that he was leaving the building to eat breakfast.

After deputies learned his story was correct, Torti was released to go to a nearby restaurant.

MIND EXPERT SAYS RUBY WAS INSANE

He Asserts Defendant Had
a 'Psychotic' Experience

By HOMER BIGART
Special to The New York Times

DALLAS, March 10.—A leading psychiatrist testified today that in his opinion Jack L. Ruby was legally insane when he shot Lee H. Oswald.

Dr. Manfred Guttmacher, of Baltimore, was the strongest witness the defense had produced.

The jurors succumbed to drowsiness and distraction during previous hours of medical testimony. But they listened with apparent fascination as the elderly psychiatrist gave them a tour of what he depicted as the tortured mind of the defendant.

The prosecution could not shake Dr. Guttmacher from this flat statement:

"I don't think he [Ruby] knew the difference between right and wrong or understood the nature and consequences of his act" — the killing of President Kennedy's alleged assassin.

Dr. Guttmacher called the 62-year-old night-club operator "a very abnormal individual with a very abnormal personality structure, a very weak ego structure."

Big Emotional Impact

The assassination of President Kennedy imposed on Ruby a tremendous emotional impact, Dr. Guttmacher said.

"He was struggling to keep his sanity during this period. He felt an unusual degree of involvement in the events," the psychiatrist said.

"When he came upon the perpetrator, Oswald, disintegration began and he experienced a psychotic episode," he testified.

Dr. Guttmacher said he could not be sure that Ruby had suffered a seizure of psychomotor epilepsy, as other defense alienists have indicated. His diagnosis was that Ruby suffered "a rupture of the ego, an episodic discontrol," and was in a state of "diminished consciousness" when he shot Oswald Nov. 24.

"All his defenses crumbled," Dr. Guttmacher said. "The hostile aggressive part of his makeup, which is very strong, became focused on this individual [Oswald]."

The prosecution interrupted frequently in an attempt to discredit Dr. Guttmacher's

Explains a 'Facade'

"A what?" Assistant Prosecutor William F. Alexander demanded in drawing incredulity when the psychiatrist said that Ruby's swaggering and boastfulness were only a "facade."

Tolerantly, Dr. Guttmacher explained that a facade meant a mask.

Similar interruptions, plus charges that Dr. Guttmacher was "rambling on," gave the chief defense counsel, Melvin M. Belli, a chance to depict the prosecution staff as being unlettered and unworthy "of a sophisticated city like Dallas."

Disturbed Attorney Henry M. Wade finally rose, pointed a finger at Mr. Belli and addressed Judge Joe B. Brown.

"Are you gonna let that lawyer refer to us as ignorant, as ignoramuses?" he cried.

"This man called the people of Dallas peasants," Mr. Belli retorted, pointing at Mr. Alexander.

"And he took the Lord's name in vain," Mr. Belli's assistant, Joe H. Tonahill, shouted.

"Everybody sit down," Judge Brown ordered.

Dr. Guttmacher testified that Ruby was "a mental cripple" who "was carrying an insufferable emotional load."

Ruby felt crushed by the assassination of the President and spoke of the President "in terms that a person in love would use," Dr. Guttmacher said. He recalled that Ruby had twice told him, "I feel for that man."

"Does this indicate a latent homosexuality?" Mr. Belli asked.

"There is a suggestion of it, but I hesitate to remark upon it because it is not really germane to the issue," Dr. Guttmacher said.

Could Ruby take the witness stand this week, Mr. Belli asked the psychiatrist.

"I wouldn't want to predict

his reaction," Dr. Guttmacher replied. "He is a very vulnerable individual and he might either crack up on the witness stand or present a more normal aspect than I would expect."

"I think this man could become flagrantly psychotic," he said.

May Not Call Ruby

"Self-destructive?" Mr. Belli asked.

"Well, I can't predict that, but he might become self-destructive after going on the stand," Dr. Guttmacher replied.

Dr. Guttmacher said that Ruby's brothers and sisters, "with perhaps one exception, have all exhibited an abnormal degree of emotional instability."

"They are a quarrelsome, inflammable group—at one time feuding, at another making sacrifices for one another," he testified.

He said that he believed Ruby's shooting of Oswald was "a sudden momentary impulse," unpremeditated, committed while Ruby was in "a fugue state," his consciousness so dimmed as to preclude any memory of the crime.

"When did Ruby enter this fugue state?" Mr. Alexander asked sarcastically.

"When he walked down into the glare of the lights and Oswald suddenly appeared before him," Dr. Guttmacher replied.

Joined Corridor Crowd

Four minutes before the shooting, Ruby was in a Western Union office half a block away and seemed quite normal to the clerk who sold him a money order.

Ruby joined a crowd of newsmen in the basement corridor of the city police station just as Oswald was being transferred to the county jail.

Tonight Mr. Belli said that he had just about decided on the basis of Dr. Guttmacher's testimony not to call Ruby as a witness. He hopes to finish the case for the defense by tomorrow night.

This morning Oswald's mother attempted to enter the courtroom. She was promptly served with a subpoena as a state witness, a move designed to prevent her from being in the courtroom or commenting on the trial.

The jury, apparently fighting against boredom, heard medical testimony all day.

Dr. Martin L. Towler, University of Texas neurologist, testified that an examination of Ruby's brain waves proved Ruby had a psychomotor variant of epilepsy.

The defense contends that Ruby was in the throes of a brain seizure when he shot Oswald and that he was insane under the laws of Texas because at that moment he could not tell right from wrong.

Dr. Towler, under cross-examination by Mr. Wade, said he could offer no opinion whether Ruby was aware of the consequences of his act when he shot Oswald.

But he insisted the electroencephalograph tests proved that Ruby's brain was definitely abnormal, that the brain waves showed "seizure activity" and that during a seizure Ruby might have suffered a mental blackout.

The defense insists that Ruby has no memory of shooting Oswald.

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Expert Says Ruby Has Brain Damage, Is Subject to Rages

By Gene Blake
The Los Angeles Times

DALLAS, March 9—A Yale University psychologist said today that Jack Ruby, charged with murdering accused assassin Lee Harvey Oswald, has organic brain damage—most likely psychomotor epilepsy.

Earlier, Ruby's defense lawyers were nearly choked off from presenting the clinical psychologist's testimony as to his mental condition—a key point in his insanity plea.

But District Judge Joe E. Brown relented after an impassioned plea by the Chief defense counsel, Melvin Belli. As a result, Dr. Roy Schafer, 41, of Yale University, remained on the witness stand until nearly 7 p.m., giving the jury of eight men and four women a short course in clinical psychology.

Under cross-examination by District Attorney Henry Wade, Dr. Schafer said he could give no opinion as to whether Ruby knew right from wrong when he shot Oswald—the legal test of insanity.

Belli promised this would come from two psychiatrists, Dr. Manfred Guttmacher and Dr. Martin Towler, scheduled to testify Tuesday and Wednesday. The attorney insisted the psychologist's work was an adjunct to that of the psychiatrist and that his testimony was needed.

Ross Testifies

Earlier, witnesses ranging from a former welterweight boxing champion, Barney Ross, to a stripper, Penny Dollar, depicted Ruby as a man who grieved over the loss of President Kennedy but also liked to show off his muscles in the dancing girls' dressing room.

A radio tape and a sound-television film of the shooting were played for the jury in a defense effort to show that Ruby did not say the things attributed to him by police witnesses.

Dr. Schafer was well into his testimony before Assistant District Attorneys William Alexander and A. D. (Jim) Bowie protested that he was not being asked the proper question on legal insanity.

Belli said he couldn't ask a prosecution's objections.

Jury Excused

The jury finally was excused so the point could be argued. The Judge told Belli to put on another witness because he was going to exclude the testimony of Dr. Schafer.

"Judge" Belli exploded. "Is your honor going to take the jury in 1964 not to take the

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psychologist that question because it was out of his field. Judge Brown sustained the testimony of this great man from Yale University — in Dallas?"

Bowle, relenting somewhat, said there would be no objection if Belli would assure the court that some doctor would testify he used Dr. Schafer's findings in reaching an opinion on legal insanity.

"I'm going to play it by Texas law," Belli stormed. "I'm not telling anybody nothing."

But Belli eventually did assure the judge that the testimony would be connected up and Schafer was permitted to continue.

He testified he saw Ruby a total of 9½ hours the last three days of December and another two hours in late January.

His examination included ink blot tests, Memory tests, word-association tests, object-sorting tests, story-telling tests, color-form-sorting tests, sentence-completion tests and story-recall tests.

He described psychomotor epilepsy as "alteration in the state of consciousness which occurs on an episodic basis." He said the person becomes confused, disoriented and may afterward have amnesia.

Dr. Schafer testified that Ruby showed great emotional instability, great impulsiveness with a tendency to act on slight provocation, confusion, irrationality and "mood swings."

Had 'Rage States'

He said it was his opinion that Ruby was subject to "rage states" in which he would not know what he was doing. These could be set off, he said, by very emotional stimulation, fatigue and sometimes even flickering light.

On cross-examination, Dr. Schafer conceded Ruby had an intelligence quotient of 107, which exceeds that of about 73 per cent of American men his age. But he insisted this was not inconsistent with his findings.

Wade, trying to ~~tidy up~~ the testing methods employed by Dr. Schafer, put the witness to a memory test on the stand. He was able to repeat almost word for word stories he had used in testing Ruby.

"Want to give him 100 per cent, Mr. Wade?" asked Belli.

"No, but I think you did pretty good," the prosecutor told Dr. Schafer. "I'll give him a passing grade."

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 Trotter ☐
 Tele Room ☐
 Holmes ☐
 Gandy ☐

Ruby Sick in the Head, Yale Doctor Tells Jury

By THEO WILSON and ANTHONY BURTON

Staff Correspondents of THE NEWS

Dallas, March 9—Yale psychologist Roy Schafer, first of the professors and doctors called by the defense in its efforts to prove Jack Ruby is legally insane, told Ruby's jurors today that the haggard defendant has an unstable and sick personality and a brain damaged by psychomotor epilepsy.

Dr. Schafer, a clinical psychologist and a City College of New York graduate, examined the strip joint operator for nearly 12 hours before this trial at the request of defense lawyers Melvin Belli and Joe Tonahill.



(UPI Telephoto)
 Patricia Ann Kohs (stripper
 \$100 a dollar) after testifying.

After 25 minutes of establishing his credentials and the highlights of his career, Dr. Schafer told the jurors: "I came to the conclusion he (Ruby) had organic brain damage and the most likely specific nature was psychomotor epilepsy."

This is a rare form of epilepsy which, the defense says, afflicted Ruby. It sent him into a rage and a blackout when he saw Lee Harvey Oswald last Nov. 24 in the City Hall basement. Ruby shot the accused Presidential assassin without knowing what he was doing, the defense says.

Ruby, said Schafer, was irrational and emotionally unstable.

The psychologist, who says Ruby's I.Q. of 109 puts him into the upper 27% of the population, recommended after his examination that the defendant be given electroencephalograph tests which chart brain wave impulses. Such tests, he said, can show brain damage and specific causes. Ink blot tests he gave Ruby showed

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 The National Observer _____
 People's World _____
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"confusion, incoherence and misuse of words."

Gunshot on Tape

Before the psychologist took the stand, a tape recorder was used to give the eight men and four women jurors the last sounds heard or uttered as President Kennedy's alleged killer was shot by Ruby.

"Have you anything to say in your defense?"

Then, like a punctuation mark to this question, a pop—the gunshot.

Heard No "S.O.B."

The question was asked of Oswald by Ike Pappas of TV and radio station WNEW in New York City. The defense called him as a witness to play the recording and to testify about what he heard and saw.

Pappas was standing closer to Ruby than almost anybody else, he said, but he did not hear him call Oswald an s.o.b. when he shot him, as the police testified last week. Pappas' tape recorder did not carry this s.o.b. statement, either.

TV films with sound also were shown to the jurors by Belli and Tonahill. The films recreated the confusion and yelling and panic that hit the basement when Oswald was shot as he was about to be transferred to the county jail.

Earlier today the jurors heard about Ruby from a variety of defense witnesses:

Barney Ross, former welter-weight champion of the world, who described Ruby's boyhood tantrums and tempers.

Tells of Attack

Penny Dollar, former striptease employe of Ruby, who told about a maniacal beating he gave a cab driver.

George Senator, former roommate of Ruby, who told about Ruby's depression and strange actions after Kennedy's death.

The ex-champ, the little stripper and Ruby's former roommate gave their testimony during the morning session. The usual morning recess was refused by the jurors, who obviously want the trial speeded. Anyone who has seen the cell-like dormitory where they are locked up for the duration could understand their eagerness to cram as much testimony as possible into every day.

Penny, who is 21 and stands about 5 feet 1, was brought from jail above the trial room to give her statements. She is in custody in Orange County on a

charge of possessing marijuana and dangerous drugs.

She told Belli her real name, Mrs. Patricia Ann Kohns, and said she worked for Ruby at his strip joint, the Carousel, for about two weeks. (She is a second generation stripper; her mother was in the same line.) She recalled:

"It was closing time at the club and I was leaving. I had called a cab. Another taxi driver had come there, but the person who called had left. When I got there (outside), Jack was beating his (the cabbie's) head on the sidewalk.

Accent: Brooklyn-Dixie

"And then he stopped all of a sudden," Penny continued, "and he said, 'Did I do this? Did I do this?' and acted like he didn't know he had done it. Jack had gotten up."

"What was the cab driver doing?" Belli asked.

"Nothing." He was groaning," Penny said in an accent that sounded something like Brooklyn with an overlay of Southern.

Belli asked her what she thought about Ruby's mental condition and she said: "I'm not a doctor, but in my personal opinion there was something wrong with him, yes."

Denies Statement to FBI

Cross-examined by Alexander she said, loud and clear "No, I did not" to his questions about a statement she made to the FBI in which, Alexander said, she reported Ruby knocked a woman downstairs. She firmly denied she told the FBI that Ruby had pummeled the woman's escort "who was smaller than Ruby."

She began to giggle when Alexander asked: "He was proud of his physique, wasn't he? He liked to come to the dressing room and let you feel his muscles? He liked to take his shirt off and show you girls his chest." Penny said yes to all this, trying to laugh.

Wishes Ruby Luck

Barney Ross wrung Jack's hand after he gave his testimony, and wished his boyhood pal good luck. The ex-champ, wearing dark glasses because of an old eye injury suffered in a fight, said he came from the same West Side neighborhood in Chicago as Sparky—Ruby's nickname.

"It wasn't the easiest neighborhood to be raised in," said Barney.

Ruby, said Ross, "would get angry and go into tantrums . . . He used to almost turn purple and walk away from us . . . He would holler and scream and stay away a day or two."

"Red-Blooded American"

But, said Barney, after the temper displays, in which Jack never fought with anybody or used profanity, he would return

to his gang and "he wouldn't step on a fly or a caterpillar." He was "not a troublemaker," Ross said. He told Tonahill: "He was as patriotic as any red-blooded American could be."

The defense wants to prove Ruby suffered a mental blackout at the time of the shooting. Barney said he suffered a blackout in a fight in San Francisco when he was knocked down in the first round, and fought for five rounds without knowing what he was doing.

Senator, 50, an unemployed postcard salesman, said Jack was "very, very solemn, very moody" after Kennedy was assassinated. He said Jack awoke him at 3 A.M. Saturday, the day after the assassination, and said:

"Why did it have to happen to a lovely family like that?"

He was upset, Senator said, about a full-page black-bordered ad in the morning paper here, highly critical of Kennedy, and about a large billboard poster calling for the impeachment of Chief Justice Earl Warren.

He made Senator accompany him about 4 A.M. to the billboard so pictures could be taken.

"Did you feel Jack was acting nutty at that time?" Tonahill asked, and Senator said: "Yes."

Senator said he overheard Jack tell stripper Karen Lynn Bennett on the phone Sunday morning that he would wire \$25 to her. The only Western Union office for money orders that is open on Sunday is one near City Hall, where Ruby shot Oswald a few minutes after getting the money order.



(UPI Telefoto)
Former boxer Barney Ross (right) arrives in Dallas court with
defense attorney Joe Tonahill.

(Mount Clipping in Space Below)

Damage to Brain Of Ruby Claimed By Psychologist

Stripper, Ex-Boxer Testify

By HUGH AYNESWORTH
and CARL FREUND

A Yale University psychologist testified in the Jack Ruby murder trial Monday that the defendant suffered from organic brain damage that made him act abnormally and unstably at times.

Under stiff cross-examination, however, Dr. Roy Schafer said he had not formed an opinion on whether Ruby knew right from wrong when he killed Lee Harvey Oswald Nov. 24 in the Dallas City Hall basement.

After a heated legal quarrel with the jury excused from the room, Dr. Schafer was allowed to testify at length and in minute detail as the defense began its case to prove that Ruby was in a "fugued state"—blackened out and unknowledgeable—when he pulled the trigger.

The session lasted until 6:49 p.m.

Dr. Schafer outlined 10 standard tests given Ruby in his jail cell and told jurors that Ruby gave "confused," sometimes "incoherent" answers, showed great emotional instability, impulsiveness, poor memory and preoccupation with his own image.

The psychologist, led cautiously by defense attorney Melvin Belli, said such things as fatigue, strong emotional stimulation and even light stimulation (flickering of lights at a certain frequency) could cause a person with the type brain damage Ruby was said to have to go into the "fugued state."

District Attorney Henry Wade asked if any person were capable of completing any por-

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purposeful" while in such a state.

"They are," said Schafer.

Q. If they carried out a purposeful act would they know what they were doing?

A. It depends on what you mean by purposeful.

Q. Would he remember what he did afterward?

A. He might not.

Q.—You mean that if a man picked out a person from a group of 200 people, killed him and remembered every bit of it, you'd turn him loose on society again?

DR. SCHAFER started to reply, but Belli jumped to his feet shouting and Wade and his assistants, A. D. Jim Bowie and Bill Alexander, joined in before Judge Joe B. Brown halted the argument, sustained Belli's objection, and Wade proceeded.

Wade asked if being in jail five weeks, charged with murder with malice and facing the electric chair might have had any effect on Ruby's performance on the tests.

"No," said Dr. Schafer.

Wade asked Dr. Schafer how much he was being paid for his testimony. "You said you had spent 100 hours on this," said Wade. "How much are you getting paid?"

A—A LITTLE over \$10 an hour.

Q—Plus expenses? A—Yes.

Wade led Dr. Schafer through a discussion of the "fugued state," a seizure. Dr. Schafer read some of Ruby's answers to various tests given him.

Dr. Schafer said the results proved to him that, either because of physical brain damage—probably a long-forgotten head injury—or encephalitis (sleeping sickness) Ruby was not up to snuff on his tests.

"He tried very hard, though," he said.

DR. SCHAFER, a Ph.D. in psychology, was the first expert witness the defense has used in its contention that Ruby was unaware of his actions when he killed Oswald.

He called this robot-like condition psychomotor epilepsy.

Prosecutors say they will call at least one psychiatrist who will testify that Ruby has no such brain damage and is not a victim of any type of epilepsy.

Ruby heard a second-generation stripper and the former welter-weight boxing champion of the world describe him earlier in the day as a moody, volatile individual who could become "almost purple" with rage.

RUBY ALSO heard the sharp crack of his Colt Cobra revolver—recorded by a nearby sound camera—as he fired a bullet into Oswald.

And he heard a roommate tell how Ruby "paced the floor with a strange, far-away look on his face" before he shot the man accused of assassinating President Kennedy.

This was the beginning of the fourth week of Ruby's murder trial. And it was the defense's turn.

Defense attorneys Melvin Belli, Joe Tonahill and Phil Burleson called the giggling stripper, Penny Dollar, and the former boxing champ, Barney Ross, to the stand to set the stage for psychiatric testimony.

THEY ALSO CALLED George Senator, a stocky, curly-haired former roommate who helped Ruby run his Carousel Club in Downtown Dallas.

Penny Dollar, a curvaceous brunette who said her real name is Patricia Ann Kohs, told jurors she "took 'em off" in the club. The 21-year-old stripper added that her mother had also worked as a stripper for Ruby.

In addition to calling witnesses, the defense lawyers showed a sound film of the shooting which sealed Oswald's lips.

A juror flinched instinctively at the sound of the shot.

It was followed by two distinct moans—apparently from Oswald, who slumped to the floor of the City Hall basement after the bullet tore through his abdomen.

RUBY LEANED forward in his chair, his head cocked toward his right shoulder, and kept his eyes fixed on the screen eight feet away.

The 52-year-old slayer rubbed his temple with his right hand, but his face remained emotionless.

The film had recorded the voices of reporters who had crowded into the basement to watch officers transfer Oswald to the county jail.

Reporters were shouting "There is someone down on the floor . . . He's shot Oswald . . . Oswald is shot! Oswald is shot!"

Defense lawyers noted the phrase "son of a bitch" could not be heard on the television film supplied by Bob Walker, news director of WFAA-TV.

NOR COULD IT be heard on a tape played for the jury by Ike Pappas, a reporter for radio station WNEW in New York. Pappas said he stood only six feet away when Ruby lunged forward and shot Oswald while millions watched on their television screens.

Asked if he heard Ruby call Oswald a name, Pappas replied, "I heard him say nothing."

Detectives testified last week that Ruby muttered the phrase before he pulled the trigger.

In other developments Monday:

—A husband-and-wife team of evangelists picketed the trial with signs proclaiming, "A person who does wrong is not insane," and, "Psychiatry is not the hope of killers."

—ASSISTANT Dist. Atty. William F. Alexander suggested Ruby was really a coward who "liked to beat up drunks and women" while carrying a pistol in his pocket.

—Mrs. Kohs said Ruby once knocked a cab driver down a stairway, beat his head against the sidewalk, then glanced up with a surprised look on his face and asked, "Did I do this? Did I do this?"

—The brunette said Ruby liked to strip of his shirt and show his muscles to professional strippers in his Carousel Club.

SENATOR SAID Ruby awakened him about 3 a.m. Nov. 23 in the apartment they shared at 223 S. Ewing. This was some 15 hours after the assassination of President Kennedy and the murder of Officer J. D. Tippit.

Q. What did he say?

A. He said he didn't see why it had to happen to a nice family like that.

Q. You mean President Kennedy's wife and children?

A. Yes.

Q. How did he look? Just tell the jury how he looked.

A. When I saw him, he had a look I had never seen before. He was deeply upset and asked about what was going to happen to the wife (Mrs. Kennedy) and children.

Senator was talking so rapidly that prosecutors complained they could not understand him. They said they doubted jurors could understand the testimony.

"TALK. SLOWER," Tonahill told the 50-year-old witness. "Take your time."

Senator resumed his testimony. He said Ruby was "always highly emotional, highly excitable . . . he would flare up and go into a rage."

Dist. Atty. Henry Wade noticed Belli was standing near the jury box.

"Make him sit down, Judge," Wade urged Judge Brown.

"I'm trying to determine whether the jurors can hear," Belli said.

"The court will decide that," Judge Brown told him. "Return to your seat."

SENATOR RELATES that Ruby insisted they go to Hall Street and North Central Expressway and photograph an "Impeach Earl Warren" billboard.

The witness said they stopped at the Carousel Club and picked up an employe he knew only as Larry. He said the employe used a Polaroid camera and flash bulbs to photograph the sign.

Then, Senator continued, they went to the post office in an attempt to learn who had placed an ad in The Dallas News which criticized President Kennedy.

Senator said Ruby wanted to learn the owner of a post office box in the ad.

"HE SAID HE couldn't understand why they would use such an ad in a newspaper," Senator added.

A. He was not a drinking man.

Q. Have you heard him use the words "son of a bitch"?

A. Never.

Senator said they also stopped at the Southland Hotel coffee shop briefly.

Cross-examining Senator, Alexander asked whether he and Ruby had stopped anywhere else before returning to their apartment about 5:30 or 6 a.m.

Senator said they had stopped only at the Carousel long enough to let the employe out of the car.

Q. Are you certain of that?

A. I am.

Q. NOW I WANT to be sure we're in agreement on this. You two—neither you nor Ruby—did not stop long enough to enter any other business. Now I want you to be positive. Did you stop anywhere else?

A. We did not.

Q. Did you know Ruby was seen

about 4 a.m. in the Dallas Times Herald . . . that he talked to someone in the lobby and then went to the composing room.

Senator said he didn't know it. He insisted Ruby was with him.

Alexander indicated he would call witnesses later to show Ruby was in the newspaper building.

REFERRING TO Ruby's appearance the morning of Nov. 24, Senator told Tonahill, "He was in a worse mood than ever. He was very grievous, very grievous."

Q. Did he watch television?

A. Yes, he saw reruns of the parade.

Q. What parade?

A. The Kennedy parade through Dallas.

Q. And what effect did that have on him?

A. He became more solemn than ever, more grievous than ever. He paced the floor, back and forth, with a far-away look on his face, a look I had never seen before. He was mumbling. I asked him what he was mumbling about, but he didn't answer.

Q. DID HE MENTION Lee Harvey Oswald?

A. He did not . . . never.

Senator said Ruby left the apartment about 10:15 or 10:30 a.m. after he got a phone call from Lynn (Little Lynn) Bennett, a former stripper.

She wanted Ruby to wire her \$25.

"Sheba left with Jack," Senator said, explaining that Sheba was a dog.

The witness said he did not see Ruby get a pistol, but knew the night-club manager often carried a gun "to protect his money."

Alexander twice ordered Senator to look into Ruby's eyes.

"Go ahead," the prosecutor told him. "Look into his eyes."

THE EYES of the slayer and his friend met.

"When you look into his eyes, it's just about looking into a crawfish's eyes, isn't it?" Alexander said.

It was more a comment than a question. Senator did not answer.

Alexander also brought out that Ruby and Senator shared Ruby's apartment, although Senator had rented a nearby apartment.

Then, in a voice sharp with derision, Alexander told Senator, "That's all. Thank you."

Defense lawyers did not like the inference.

They asked Senator to tell why he had moved into Ruby's apartment.

SENATOR SAID he was unemployed, and his former roommate had married and he couldn't afford to live alone in an apartment.

Senator used the word "nutty" at one time in describing Ruby's behavior.

Senator also defended Ruby against a cowardice charge.

Alexander insisted Ruby "only hit drunks or women." He asked Senator, "Did you ever see him hit anybody his size?"

"Size didn't make any difference to him," Senator retorted.

Clad in a trim and prim blue dress, Mrs. Kohs left a county jail cell to keep her date on the witness stand. She was arrested in Orange on a narcotics charge during the weekend.

ASKED IF SHE regarded Ruby as mentally ill, she replied, "In my opinion, there was something wrong with him, yes."

Alexander asked, "Ruby liked to come into the girls' dressing room and take off his shirt and show off his muscles, didn't he?"

The entertainer smiled and replied, "Yes, he did."

"And he was a name dropper, wasn't he?"

She giggled and said, "Yes." The stripper added that Ruby

liked to sit at the same table as "celebrities" who visited his club. (Prosecutors have suggested Ruby shot Oswald in the mistaken belief the slaying would bring him "fame and fortune.")

ANOTHER BRIEF witness, Roy Pryor, a Dallas Times Herald employe and part-time musician, related an incident in which Ruby took presents to children in an orphanage at Christmas.

Ross referred also to the "kind side" of the complex slayer.

The ex-boxer said there were times in Ruby's boyhood "when he wouldn't step on a fly or caterpillar."

At other times, Ross said, Ruby would "steam up and turn almost purple" during temper tantrums touched off by trivial incidents.

ROSS AND RUBY grew up in a tough neighborhood in Chicago.

There Ross—his legal name was Barnet Rasofski—got started on a boxing career which led him to the top. And Ruby—his legal name was Jack Rubenstein—became known as "Sparky" because he was "always hustling . . . always hunting a way to make money."

As Ross left the stand, Ruby stood up and grasped the hand of his boyhood friend.

ONE VIEW OF RUBY

Ross Describes Paradoxical Acts

Jack Ruby would "steam up and turn almost purple" during temper tantrums touched off when friends disagreed with him while he was a youth growing up in a tough neighborhood in Chicago.

Then he would become so gentle that he "wouldn't step on a fly or a caterpillar."

That paradoxical portrait was sketched by Barney Ross, former welterweight champion of the world, from the witness stand in Criminal District Court No. 3 here Monday.

THE EX-CHAMP, who became a Marine hero during World War I and later whipped the drug habit, came here from New York to help his boyhood pal.

Ruby, who could get the electric chair if convicted of murdering Lee Harvey Oswald, showed his appreciation by reaching out and grabbing Ross' hand as he left the stand.

Ross smiled and whispered a word of encouragement before leaving the courtroom.

Attorney Melvin Belli called the former champ to the stand to bolster the defense contention that Ruby "blacked out" and became temporarily insane before he shot the Marxist accused of assassinating President Kennedy.

ROSS BEGAN sketching his portrait of Ruby by explaining that the two were members of "a group which ran around together" on Chicago's West Side.

Their friendship continued from boyhood "until I was 32 or 33," Ross continued, noting that he is a year older than Ruby, who is 52.

"Around the age of 14 and later, he was a good sports handicapper—an authority on handicapping," Ross told the jury of eight men and four women.

"Sometimes when we'd make a nickel wager on our own, he'd let out an angry scream and say 'Don't bet on this team. I know more about it than anybody.'"

"HE USED to turn almost purple and walk away from us without saying anything else . . . He would just take off when he got steamed up."

Ruby appeared entranced by the testimony.

Ross said Ruby became known as "Sparky" because he was a "hustler" who kept his eyes open for ways of making money.

"He used to come to me and say he needed 'X' amount of dollars to buy materials at a fire sale," Ross related. "Then he would sell it at a profit and repay me the next day and then he would do the same thing again, all over."

Ross said he didn't think Ruby could have held a steady job "because of his problem." The witness said he referred to the manner in which Ruby "got into a frenzy" when anyone disagreed with him, even if only trifling matters were involved.

"TELL US about his patriotism," Belli suggested.

"He was as patriotic as all of us—as patriotic as any red-blooded American could be," Ross said.

Ross said he did not use profanity and did not recall hearing Ruby use it.

"Did you ever hear Jack use the term 'son of a bitch?'" Belli asked, mindful that prosecution witnesses had testified Ruby used that phrase before and after shooting Oswald.

"Maybe I might have once or twice, but I'd say I probably didn't," Ross replied.

Ruby turned at the defense table and whispered something to Joe Tonahill, another lawyer who represents him.

FOLLOWING A suggestion from Belli, Ross described a San Francisco fight which he won although "out on his feet" for five rounds.

Ross said Ruby "blacked out" from excitement during the fight, but Judge Joe B. Brown ordered jurors not to consider the answer after prosecutors noted Ross was only repeating what he had been told.

Then Assistant Dist. Atty. William F. Alexander got his chance to question Ross.

Alexander showed that Ross could recall seeing Ruby only once after they went separate ways during World War II.

The prosecutor suggested also that the two were not close boyhood friends, but merely casual acquaintances.

Ross said that wasn't true.

ALEXANDER NOTED Ross gave a statement to FBI agents after Ruby shot Oswald. Ross said he recalled talking to the agents in New York "about the third or fourth day after the tragic thing happened."

Alexander said Ross' testimony conflicted with statements he gave the agents.

Q. You told them, did you not, that you didn't know how he got the nickname "Sparky?"

A. I don't recall telling them that.

Q. Also at that time, didn't you tell them that you had never given him any money?

A. No, sir.

Then Alexander asked, "Mr. Ross, isn't it a fact that, at the time the FBI questioned you, you didn't want to be connected with Jack Ruby in any way?"

Ross appeared indignant at the suggestion.

"I wanted it known that I was on his side all the way," the former champion replied firmly.



—Dallas News Staff Sketch by Glenn Moore.

Barney Ross helps an old pal.

6

Tolson _____
 Belmont _____
 Mohr _____
 Casper _____
 Callahan _____
 Conrad _____
 DeLoach _____
 Evans _____
 Gale _____
 Rosen _____
 Sullivan _____
 Tavel _____
 Trotter _____
 Tele. Room _____
 Holmes _____
 Gandy _____

UPI-226

ADD RUBY DALLAS (UPI-152)

THE SIGHT OF LEE HARVEY OSWALD LOOKING "CUNNING AND VICIOUS LIKE A RAT...A COMMUNIST" SENT BRAIN-BATTERED JACK RUBY OVER THE BRINK OF SANITY AND INTO AN UNCONTROLLABLE SEIZURE, DEFENSE PSYCHIATRISTS SAID TODAY.

TO THIS DAY, THE DEFENSE'S STAR WITNESS TESTIFIED, THE SLAYER OF THE ACCUSED ASSASSIN HAS NO FEELING OF GUILT BECAUSE HE DID NOT KNOW WHAT HE WAS DOING.

DR. MANFRED GUTTMACHER OF BALTIMORE SPENT FOUR HOURS ON THE STAND, MUCH OF IT UNDER DETERMINED CROSS-EXAMINATION. HE WAS TESTIFYING, UNSHAKEN, WHEN COURT RECESSED AT 6:45 P.M. EST UNTIL 10 A.M. EST.

"I THINK THIS MAN WAS A MENTAL CRIPPLE," HE SAID "CARRYING ON HIS SHOULDERS AN INSUFFERABLE EMOTIONAL LOAD AND, TO USE THE VERNACULAR, HE CRACKED UNDER IT."

GUTTMACHER AND DR. MARTIN TOWLER, A NEURO-PSYCHIATRIST FROM THE UNIVERSITY OF TEXAS MEDICAL SCHOOL, GAVE THIS PICTURE OF THE MAN THEY ARE TRYING TO SAVE FROM THE ELECTRIC CHAIR.

--HE HAD A CHILDHOOD BURDENED WITH A DRUNKEN FATHER AND A MOTHER WHO WENT TO A MENTAL INSTITUTION.

--HE WAS BEATEN ON THE HEAD TWICE, INJURED HIS HEAD IN A FALL AND IN AN AUTO ACCIDENT, AND STRUCK HIS HEAD WHILE ICE SKATING.

--EITHER FROM INJURY OR FROM ENCEPHALITIS (SLEEPING SICKNESS) HE HAS "PSYCHOMOTOR EPILEPSY," A RARE FORM OF THE AILMENT CAUSING BLACKOUTS AND RASH EMOTIONAL BEHAVIOR.

--HE FELT, ACCORDING TO GUTTMACHER, "PATRIOTIC" WHEN HE KILLED OSWALD AND HE WAS ANGERED AT THE THOUGHT OF "SUCH A VILE MAN" AS OSWALD AS A FATHER OF TWO CHILDREN.

PRESENTING THE KEY DEFENSE ARGUMENT, GUTTMACHER SAID RUBY DID NOT KNOW RIGHT FROM WRONG WHEN HE PULLED THE TRIGGER.

AS THE AFTERNOON SESSION BEGAN, DEFENSE ATTORNEY MELVIN BELLI GAVE AN INDICATION OF THE IMPORTANCE HE ATTACHED TO THE BALTIMORE PSYCHIATRIST'S TESTIMONY:

"WE'LL EITHER MAKE IT OR BREAK IS THIS AFTERNOON," HE SAID.

GUTTMACHER TWICE GAVE RUBY'S VERSION OF WHAT HAPPENED THAT SUNDAY MORNING IN THE CITY JAIL BASEMENT.

UNDER CROSS-EXAMINATION, HE SAID RUBY SAW OSWALD, THE MARXIST MISFIT, THIS WAY:

"HE HAD A VERY SMIRKING EXPRESSION ON HIS FACE. HE LOOKED CUNNING AND VICIOUS, LIKE A RAT. I THOUGHT HE LOOKED LIKE A COMMUNIST."

GUTTMACHER PUT IT DIFFERENTLY FOR BELLI UNDER DIRECT QUESTIONING.
 3/10--N737PES

WASHINGTON CAPITAL NEWS SERVICE

(Mount Clipping in Space Below)

FORMER CHAMP**Ross to Appear
In Ruby's Corner**

Former boxing champ Barney Ross told Sunday night how Ceferino Garcia decked him with a bolo punch in the fifth round in San Francisco in 1935 and a Ross fan called Sparky Rubenstein fainted.

"When I got hit, he felt it," said Ross.

And when Rubenstein — now known as Jack Ruby — got hit with a murder charge, Ross felt it.

He wrote letters trying to buck up his old buddy. Then over the weekend he flew to Dallas from New York to testify in Ruby's behalf.

The lightweight champ of 1933 who grabbed the welterweight crown in 1934 and held it off and on until 1938, Ross said it was his own idea to become a sort of character witness for Ruby, the nightspot owner charged with the murder of Lee Harvey Oswald.

Ruby's attorney, Melvin Belli, said Ross likely will be the first man on the witness stand Monday morning.

Ross said his idea of coming to Dallas was partly shaped by a telephone conversation with Ruby's sister, Mrs. Eva Grant of Dallas.

A miniature Dempsey, Ross told in his hotel room Sunday night how he got off the canvas back in 1935 and punched out a decision over Garcia in the 10th round.

"Sparky just blacked out when I got hit. Boom. Like that I didn't believe I'd been hit so hard myself until I saw the San Francisco Chronicle next day. There I was, laid out like Melancholy Baby."

Ross, 54, has known Ruby since they were teen-agers in Chicago. They went to the same synagogue and belonged to the same group of friends. "Not a gang though. Not a gang," insisted Ross, whose real name is Barnet Rasofski.

"Sparky was pretty bright but strange in a way. He'd disappear for weeks at a time and none of us would know where to find him. Then one day he'd turn up."

Ross said in their 20s, Ruby would often come to him to borrow money to finance quick-turnover deals in any sort of goods Ruby could find at the right price.

"It might be shirts or socks or shoes or even used tires. He always repaid me and he always tried to get me to take a part of the profits."

The life of Ross was portrayed in a movie, "Monkey on My Back," and in a book, "No Man Stands Alone."

He gave up boxing when Henry Armstrong took the title away from him in 1938. A Marine in World War II, he picked up a Silver Star, leg wounds, malaria and a narcotics addiction on Guadalcanal.

In 1946 he shook the narcotics habit at the federal hospital in Lexington, Ky. "All habits are bad and like all man-made laws, they're made to be broken," he said, smoking at a cigarette in his hand. —KENT BIFFLE

(Indicate page, name of newspaper, city and state.)

"The Dallas
Morning News"
Dallas, Texas

Date: 3-7-64

Edition:

Author:

Editor:

Title: Jack B. Krueger

Character:

or

Classification:

Submitting Office:

Dallas

144-24016-14
NOT RECORDED
128 MAR 24 1964

57 MAR 24 1964

Jury May Act in 10 Days

By KENT BIFFLE

Jack Ruby may find his life in the hands of a jury in about 10 days.

That was the estimated wind-up date Sunday for the Ruby proceedings—so far predictable only in their unpredictability.

Ruby's top lawyer, Melvin Belli, said Sunday the defense will likely finish presenting testimony by Friday.

Dist. Atty. Henry Wade said the state will require a couple of days for additional testimony when the defense is finished.

Allowing a full day for closing arguments, Wade said his best

guess is the Ruby trial will go to the jury about March 18.

If that happens, the case will have run an entire month. The actual trial began here on Feb. 17.

Preliminary actions in the case—hearings on defense motions for bond and for a change of venue—began last year.

Wade was in his courthouse office Sunday reviewing files and indexing material for use in the murder case.

"We have so much information here that the big problem is keeping track of everything—knowing where each item will

be when it's needed," said the chief prosecutor.

Wade also was studying law books Sunday. He was preparing himself for the avalanche of psychiatric testimony expected to be aimed at the jury by the defense.

"I want to determine just how far they can properly go in questioning these psychiatrists," said Wade.

He first read Dr. Manfred Guttmacher's "Psychiatry and the Law," nearly a decade ago.

He is re-reading that book also for this case. Dr. Guttmacher, a New York psychiatrist, will be a leading defense witness.

Belli said a striptease dancer named Penny Dollar will be on the stand just long enough to describe a fight she saw between Ruby and a taxi driver in which Ruby beat the man's head on concrete and then asked, "What am I doing?"

Her real name is Patricia Ann Kohs. A former stripper at Ruby's Carousel Club, she will be returned to Orange after testifying to face legal troubles of her own—drug charges.

Among the first defense witnesses expected to testify Monday will be Barney Ross, former lightweight and welterweight boxing champ, who arrived in Dallas over the weekend.

Ross has known Ruby since they were teen-agers in Chicago.

Belli, who said Sunday he can count 13 "absolute" reversible errors thus far, has indicated that he plans to put Ruby on the stand.

If he takes the stand, Ruby, the striptease entrepreneur, will find himself baring his past in the most important performance of his life.

Belli, however, would not speculate Sunday just when Ruby will take the witness chair.

The trial will resume at 9 a.m. Monday with Judge Joe B. Brown presiding and will adjourn at 11 a.m. so that courthouse personnel can attend the funeral services of County Clerk Glenn Byrd, who died Saturday.

The afternoon court session will begin at 1:45 p.m. as usual.



—Dallas News Staff Photo.

Jack Ruby



—Dallas News Staff Photo.

Barney Ross... expected to testify Monday for Jack Ruby.

Trial Focuses on . . .



—Dallas News Staff Photo by Joe Laird.

Attorneys Belli (top) and Joe Toñahill.

Barney Ross To Toss Punch For Pal Ruby³

By ANTHONY BURTON and THEO WILSON
Staff Correspondents of THE NEWS

Dallas, March 8—Barney Ross, former world welterweight champion, will take the stand tomorrow to try to save his longtime pal and worshiper, Jack Ruby, from the chair for the slaying of President Kennedy's accused assassin.

The squat, dark-haired fighter, who kicked the dope habit (acquired during treatment for war wounds), has known "Sparky"—Ruby's nickname since his Chicago slum boyhood—for more than 25 years. Ross is on the defense's witness list along with:

- A jailed strip-teaser, Penny Dollar, 21.

- Assistant District Attorney Bill Alexander, who wants to send Ruby to the chair.

- Dr. Roy Schaffer, Yale psychologist, and Dr. Manfred Guttmacher, Baltimore psychiatrist.

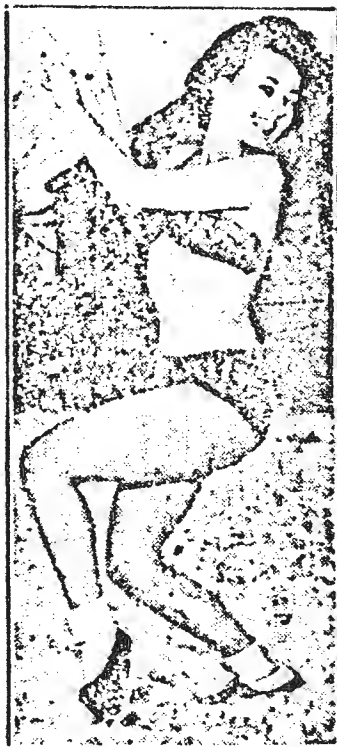
The doctors are being called by attorneys Melvin Belli and Joe Tonahill to give testimony which the defense hopes will convince the jury that Ruby is sick in the head, at times.

Held on Drug Charges

The stripper, awaiting trial in another county on charges of possessing dangerous drugs and marijuana, is expected to testify that her former boss, Ruby, is "sick . . . sick . . . sick," as Belli quoted her today.

He says Penny told him that when she worked for Ruby, "he once beat a taxi driver's head against the concrete. And suddenly, as if he had regained his senses, asked, 'What am I doing?'"

Penny's real name is Patricia Ann Kohs. She was brought from jail in Orange County this weekend and put into a cell in the Criminal Court and Jail Building, where Ruby is in solitary and where his trial goes into its fourth week tomorrow.



(Associated Press Wirephoto)
Patricia Ann Kohs, who worked as stripper under name of Penny Dollar at Jack Ruby's club, prancing in Dallas snow last year. She's expected to testify today.

Tolson ☒
Belmont ☒
Mohr ☐
Casper ☐
Callahan ☐
Conrad ☒
DeLoach ☒
Evans ☐
Gale ☒
Rosen ☒
Sullivan ☐
Tavel ☐
Trotter ☐
Tele Room ☐
Holmes ☐
Gandy ☐

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The Washington Post and Times Herald _____
The Washington Daily News _____
The Evening Star _____
New York Herald Tribune _____
New York Journal-American _____
New York Mirror _____
New York Daily News 3 _____
New York Post _____
The New York Times _____
The Worker _____
The New Leader _____
The Wall Street Journal _____
The National Observer _____
People's World _____
Date _____

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NOT RECORDED
128 MAR 16 1964

MAR 9 1964

Insane or Just Mean?

Barney flew in today and said he will testify for Ruby tomorrow as an old friend who can tell the jury about the defendant's unusual personality. The defense says Ruby is subject to

rages and blackouts as a victim of psychomotor epilepsy and that the Nov. 24 shooting of Lee Harvey Oswald occurred during one of these "episodic fugue states" when he was temporarily insane.

District Attorney Henry Wade says that Ruby was just plain

"mean" and that he planned for two days to kill Oswald.

Ruby, a sunken-eyed and withdrawn man these days as compared with his flashy extrovert days as a strippers' stablemaster, used to carry Ross' bags and go in free to the club fights when the ex-champ was still an amateur.

"He was with me the night I won the Golden Gloves in '29," Barney said recently. "I've been his friend ever since."

Why They Called Alexander

Belli and Tonahill want the assistant prosecutor, Alexander, on the stand to ask him about statements he made during a pre-trial bail bond hearing for Ruby. At that time, according to Ruby's attorneys, Alexander said he would change his opinion about Ruby's mental state if an impartial medical report showed Ruby had organic brain damage. The defense contends it has such a report based on brain wave tests.

Talking to reporters at lunch today in the Statler Hilton Hotel, Belli and Tonahill said they do not know when they will call Alexander. Then they said they may call his boss, Wade, too.

Tomorrow the defense will call either Dr. Guttmacher or Dr. Schaffer or both, if there is time. The testimony of these experts is expected to show that Ruby cannot be held legally responsible for the shooting of Oswald.

Ruby's 53d birthday is on Wednesday, and Belli sent a wire today to a restaurant in San Francisco, his home base, saying: "Send birthday cake Wednesday. No file. Dr. Belli will furnish that."

Belli also said today: "The Ruby trial is the biggest railroad job since the Southern Pacific moved through here."

(Mount Clipping in Space Below)

Circuit Judges Here Denounce at Ruby Trial

By ROBERT D. KIRK
Of Our City-County Bureau

The "carnival-like" atmosphere of the Jack Ruby murder trial has drawn the critical attention of Wayne Circuit Court judges.

Judge Theodore R. Bohn, a delegate to the trial judge section of the American Bar association, is so incensed that he said he would ask that the manner in which the trial is being conducted be discussed at the ABA convention in August.

"I think the manner in which this case is being tried is disgraceful," Bohn said. "It is being conducted contrary to



THEODORE R. BOHN

judicial methods and practice in use throughout the country."

Judge Horace W. Gilmore said he was shocked by the lack of courtroom decorum as reported in the press.

"I have never heard anything like it," Gilmore said. "The judge lets counsel ramble on and doesn't enforce his own rulings. Instead of the calm deliberation so necessary to the administration of justice, this is like a carnival."

Declared Judge Joseph G. Rashid:

"It is certainly shocking that this may be accepted in some parts of the world as a demonstration of the Ameri-

can judicial system. The type of play to the gallery and the type of courtroom demeanor makes it difficult for either side to get a fair trial.

"The sad part of this is that



HORACE W. GILMORE

the case grows out of the assassination of the President, and the eyes of the whole world are on the trial."

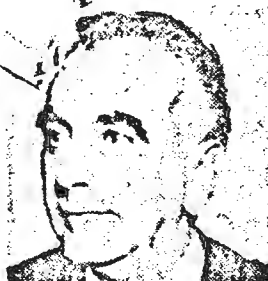
Particularly distasteful to Rashid and his colleagues is the practice of permitting

smoking in the courtroom during the proceedings.

"The display of dramatics on the part of defense counsel for the benefit of the press and the public and the unwarranted outbursts in court make a sham of a public trial of this importance," he said.

District Judge Joe B. Brown permits smoking or tobacco chewing in the Dallas County criminal courtroom by participants, including the jury, but for this trial only he prohibits spectators from smoking because of the crowd. Spittoons are placed in the courtroom.

Brown chews tobacco. His replacement for one day recently when he was ill—Dis-



JOSEPH G. RASHID

trict Judge J. Frank Wilson—chain smoked cigars and cigarettes.

Dallas District Attorney Henry Wade chews cigars as one would tobacco.

"Anything which is calculated to detract from the dignity of the court proceeding, distract a witness in giving his testimony, degrade the court and create misconception with respect to the seriousness of judicial proceedings should not be permitted," declared Judge Edward S. Piggins.

"The administration of justice is such a serious matter it should be conducted in a dignified, solemn and serious atmosphere."

Judges Thomas E. Brennan and Benjamin D. Burdick are inclined to think the extensive coverage of the case is partly responsible.

"It seems to me" Brennan declared, "the people of Dal-

Mr. Tolson	_____
Mr. Belmont	_____
Mr. Mohr	_____
Mr. Casper	_____
Mr. Callahan	_____
Mr. Conrad	_____
Mr. Felt	_____
Mr. Gale	_____
Mr. Rosen	_____
Mr. Sullivan	_____
Mr. Tavel	_____
Mr. Trotter	_____
Tele. Room	_____
Miss Holmes	_____
Miss Gandy	_____

(Indicate page, name of newspaper, city and state.)

11A Detroit News
Detroit, Mich.

11A-24-10-A
NOTED
MAR 10 1964

Date: 3/9/64
Edition: 4 Star Final
Author:
Editor: Martin S. Hayden
Title:

Character:
or
Classification:
Submitting Office: Detroit
☐ Being Investigated

FD-350
6/11/1



THOMAS E. BRENNAN

las should have learned by bitter experience the necessity for enforcing reasonable rules on everybody.

"I am convinced that is why Jack Ruby is on trial today."

Ruby lunged out from a group of newsmen in Dallas last November to shoot and



BENJAMIN D. BURDICK

kill Lee Harvey Oswald, accused assassin of President Kennedy, as Oswald was being transferred from the police station to the county jail.

Said Judge Burdick:

"Everybody in Dallas has succumbed to publicity, but the situation there is not normal. The city is suffering from some degree of shame. I think the court is leaning over backwards and is probably taking a lot of abuse that wouldn't be tolerated otherwise."

There is a sharp contrast between the atmosphere of the Dallas court and the Wayne courts.

According to court rule here, no smoking is allowed in any courtroom at any time whether the court is in session or not. Nor is smoking permitted in the jury room while any case is in progress.

This rule was adopted when nonsmoking jurors objected to being quartered in smoke-filled jury deliberation rooms. Card playing is not permitted in the jury rooms. No one is permitted to read newspapers in court or to carry on "annoying whispered conversations" while a trial is in progress.

2

PA
51

(Mount Clipping in Space Below)

RUBY'S WORDS DAMAGING *Defense Faces Double Job*

By CARL FREUND

Jack Ruby's own words, as related by Dallas police officers, form the most damaging testimony against the 52-year-old slayer.

Defense attorneys concede they must discredit this testimony if they hope to save Ruby from the electric chair or a long prison term.

IF JURORS BELIEVE this testimony, they will convict Ruby of murder with malice. It rips apart the defense contention that Ruby "blackied out" and shot Lee Harvey Oswald without realizing what he was doing.

As a result, defense lawyers Melvin Belli, Joe Tonahill and Phil Burleson face a double task:

—They must convince the jury of eight men and four women that prosecution witnesses distorted or invented statements attributed to Ruby.

—They must prove by "a preponderance of the evidence" that Ruby was temporarily insane Nov. 24, when he shot the Marxist accused of assassinating President Kennedy two days earlier.

THE MOST DEVASTATING prosecution testimony came from Detectives Thomas McMillon, Don Archer, J. R. Leavelle and L. C. Graves, Police Capt. Glen King and Police Sgt. P. T. Dean.

They portrayed Ruby as a sane, cold-blooded killer who planned and carried out an execution of a man who was manacled and defenseless.

McMillon testified Ruby muttered "you rat son of a bitch" before he shot Oswald while millions watched on television.

Both McMillon and Archer said Ruby told them he intended to pump three bullets from his Colt Cobra .38-caliber revolver into Oswald.

ARCHER SAID HE heard Ruby say, "I hope the son of a bitch dies."

Later, McMillon told the jury, Ruby was asked why he shot Oswald; and the balding nightclub manager replied, "Somebody had to do it and you guys (the police) couldn't."

Leavelle, who was handcuffed to Oswald, and Graves, who twisted the pistol from Ruby's grasp, agreed that he tried to fire additional shots. Leavelle said he also heard Ruby refer to Oswald as a "son of a bitch."

(Indicate page, name of newspaper, city and state.)

17

"The Dallas
Morning
Dallas, Tex.

Date: 3-8-64
Edition:
Author:
Editor: Jack B. Kr
Title:

Character:
or
Classification:
Submitting Office: Da

57 MAR 24 1964

44-240
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CAPT. KING, who appeared in uniform with his gold shield glistening, testified Ruby told him, "You didn't think I was going to let him get away with it, did you?"

Then Dean swung his sledgehammer blow.

Dean said Ruby told him he "thought about" killing Oswald two days before the Communist sympathizer was shot.

Dean also quoted Ruby as saying he shot Oswald to "let the world know that Jews have guts" and to spare President Kennedy's widow the mental anguish of returning to Dallas to testify against Oswald.

(ACTUALLY, prosecutors say, they would not have needed her as a witness if Oswald had lived to stand trial on a charge of assassinating President Kennedy.)

If jurors believe the testimony of the officers, it would show that Ruby (1) plotted the shooting, (2) was fully conscious of what he was doing and (3) acted with malice.

Belli began chipping at the

testimony during his cross-examination of the officers. He kept McMillon on the stand an entire afternoon, going over and over his testimony.

BELLI NOTED THAT, in his first written report, McMillon did not mention that Ruby had told him of intending to fire three shots. The detective said this was an oversight.

The defense lawyer also emphasized McMillon's testimony that Ruby told him, "You all won't believe this, but I didn't have this planned. I couldn't have timed it as perfectly."

Archer admitted during questioning that he did not tell FBI agents that Ruby stated he planned to fire three shots. The detective said the agents didn't ask him.

BELLI ALSO questioned Dean about a discrepancy between his testimony and a report which he submitted. Dean testified he questioned Ruby about 10 minutes after Oswald was shot, but his report said he interviewed the slayer "approximately at 12 noon." Ruby pulled the trigger about 11:20 a.m.

Prosecutors termed these minor points which had no effect on the basic testimony of the

officers. Belli claimed Wade and his assistants told the officers what to say on the stand and some of them "memorized" their testimony.

Defense attorneys claim Judge Joe B. Brown should have blocked officers from relating anything which Ruby said after he was arrested.

The lawyers claim he was not warned the statements could be used against him and the testimony violated his constitutional rights.

JUDGE BROWN admitted it under the res gestae rule. This allows witnesses to repeat verbal statements made during, or immediately after, the commission of a crime.

There is no specific time limit.

If Ruby receives a severe penalty and his lawyers appeal, defense lawyers will argue that Judge Brown committed a legal error which entitles Ruby to a new trial. But the judge felt, apparently, that Ruby's statements fell well within the limits of the res gestae rule.

DEFENSE LAWYERS will call psychiatric and other witnesses, including Ruby himself, this week in an attempt to prove to jurors that Ruby was an emotional man with a brain disorder—a man who snapped under an emotional strain and pulled the trigger while acting like a robot, unaware of what he was doing.

But they cannot sketch this picture in the minds of jurors unless they succeed in erasing the portrait painted by the officers with words they attributed to the slayer.

PENNY DOLLAR

Stripper Leaves Jail to Testify

A jailed stripper who once worked at Jack Ruby's Carousel Club was flown to Dallas about 8 a.m. Saturday to appear as a witness for the defense in Ruby's murder trial in Judge Joe B. Brown's court later this week.

Patricia Ann Kohs, 21-year-old brunette who uses the stage name of Penny Dollar, was brought from the Orange County jail in Orange and lodged in the Dallas County jail.

She was arrested in Orange Friday on charges of possessing dangerous drugs and marijuana. She said she was en route from Dallas to Florida and listed her home address as Irving.

Sheriff Bill Decker sent deputy Mrs. Frances Quill to the coastal city with a bench warrant to bring Penny Dollar back at the request of Ruby's chief defense counsel Melvin Belli.

Belli is expected to put her on the witness stand Monday as the defense tries to prove Ruby was insane when he shot down accused assassin Lee Harvey Oswald Nov. 24 in the City Hall basement.

The lawyer said Penny told him that while she worked for Ruby "he beat a taxi driver's head against the concrete. And suddenly, as if he had regained his senses, asked, 'What am I doing?'"

The defense chief conferred with the stripper in her jail cell shortly after her arrival in Dallas.

Talking briefly with reporters prior to the conference, Miss Dollar said she had worked for Ruby about two years ago.

Informed sources, however, ~~reported~~ that she stripped at the club only on amateur night

although she filled in once when another girl suddenly became ill.

She also reported that her mother had been a stripper and had worked for Ruby "about 18 years ago."

Following her testimony in the Ruby trial, Penny Dollar will be returned to the Orange County jail to await trial on the narcotics charges.



—Dallas News Staff Photo by Clint Grant.

Penny Dollar... Frolicking in the snow here a year or so ago.

(Mount Clipping in Space Below)

BIGGEST BLOW SWUNG**State Rests Case
Against Jack Ruby**By CARL FREUND
and HUGH AYNESWORTH

Dist. Atty. Henry Wade swung his biggest blow in the Jack Ruby murder trial Friday, minutes before a jail break threw corridors outside the courtroom into a turmoil.

Before resting his case, Wade presented testimony that Ruby "thought about" killing Lee Harvey Oswald for two days.

Judge Joe B. Brown admitted the testimony by Police Sgt. P. T. Dean, despite heated objections from defense lawyers. They shouted that it violated Ruby's constitutional rights.

Ruby slipped into the City Hall basement Nov. 24 and fired a single bullet from his Colt Cobra .38-caliber revolver into Oswald while network television cameras recorded the scene.

DEAN QUOTED Ruby as saying he saw Oswald two days earlier "with a sneer on his face" and thought at that time about killing him. Officers were holding Oswald, a 24-year-old Communist sympathizer, as the No. 1 suspect in the assassination of President Kennedy and the murder of Patrolman J. D. Tippit.

Dean told the jury of eight men and four women that Ruby stated he shot Oswald because:

—He wanted to "show the world that Jews do have guts."

—He could see no reason for "a long and lengthy trial which

was sure to bring the death penalty."

—He wanted to spare President Kennedy's widow the mental anguish of returning to Dallas to testify against Oswald.

DEFENSE lawyers charged angrily that prosecutors told Dean what to say while on the stand.

The lawyers noted also that Dean testified he questioned Ruby about 11:30 a.m. Nov. 24, but stated in a report that he interviewed the slayer at "approximately 12 noon." They emphasized this discrepancy, but prosecutors said they regarded it as a minor point.

As Dean left the stand, Wade arose and announced, "Your honor, ladies and gentlemen of the jury, the State rests at this time."

This meant Wade and his assistants—A. D. Jim Bowie, William F. Alexander and Frank Watts—had completed the basic case with which they hope to convince jurors that Ruby is a coldblooded killer who should die in the electric chair.

WADE MAY CALL additional witnesses later. But his announcement cleared the way for defense lawyers to present testimony.

Despite the testimony presented by prosecutors, Belli said he still believes he can convince the jury that Ruby was temporarily insane and didn't know what he was doing when he pulled the trigger.

If jurors accept the defense theory, they must find Ruby innocent of murdering Oswald.

After Wade's announcement, defense lawyers asked Judge Brown to order the jury to find Ruby innocent.

Belli and two other defense lawyers, Joe Tonahill and Phil Burleson, contended prosecutors failed to make out a case.

JUDGE BROWN quickly rejected the request.

They also asked Judge Brown to order jurors not to consider testimony by Dean and other officers about statements which Ruby made while under arrest.

The defense lawyers claimed the statements violated Ruby's constitutional rights since the slayer was under arrest, but had not been warned he was not required to make any statement.

Judge Brown agreed with prosecutors that the officers could relate Ruby's statements under the res gesta rule. This legal rule holds that statements are admissible, regardless of whether the suspect was warned, if made during an offense or immediately thereafter.

DEAN TESTIFIED he questioned Ruby, who had been stripped to his shorts by officers seeking other weapons.

(Indicate page, name of newspaper, city and state.)

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Dallas, Texas

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about 10 minutes after Oswald was shot.

Karen Lynn Bennett, a former stripteaser who wore a white maternity dress, took the stand as the first defense witness. Customers at Ruby's Carousel Club in Downtown Dallas knew the 19-year-old blonde as "Little Lynn" when she worked there.

Mrs. Bennett, who said she is expecting a baby, "at any time," was in the corridor when escaping county jail prisoners rushed past. She complained of feeling faint and was given smelling salts before a defense lawyer helped her into the courtroom.

MRS. BENNETT testified that Ruby sent her a \$25 money order so she could pay her rent only minutes before he shot Oswald.

She described Ruby as extremely upset by the death of President Kennedy and said he "bounced as if he had been crying" when she called him the morning of Nov. 24 to request the \$25.

This testimony was designed to bolster the defense contention that Ruby went into a steadily worsening state of shock after the assassination and shot Oswald while "acting like a robot" during a mental blackout.

(Defense lawyers could also point to one part of Dean's testimony to support their claim that the assassination left Ruby emotionally upset. The police sergeant said Ruby cried when he referred to President Kennedy while questioned in the jail.)

TESTIFYING IN a childish voice, Mrs. Bennett said she had seen Ruby lose his temper on occasions.

Asked if he had tried to date her, the former stripper replied,

"Jack was a man. He would ask a girl to go out. But after he got a 'no,' he never persisted."

Another defense witness was William E. Howard, manager of The Stork Club, a Dallas supper club.

Howard described Ruby as "very unpredictable . . . a name dropper . . . the type who likes to be well thought of . . . a seeker of the limelight . . . quick tempered, tough, a rough-and-tumble fighter . . . a health faddist and egotist . . . a kind and considerate person (at other times)."

BELLI TOLD the jury the defense would prove that Ruby has organic brain damage, that his mother became an inmate of a mental hospital, and that a brother entered a veterans hospital for treatment of an emotional disorder.

Belli said Ruby would take the stand.

Before resting his case, Wade also called Police Capt. Glen King. King said Ruby told him, "You didn't think I was going to let him get away with it, did you?"

Wade also showed films of Ruby shooting Oswald.

Ruby appeared even more haggard than usual as light from the screen cast a glow on his face in the darkened courtroom.

THE BALDING, 52-year-old defendant hunched forward and nervously chewed his nails.

Ruby chewed his nails again during the afternoon while defense witnesses pictured him as a quick-tempered man who "explodes without warning."

He appeared exhausted from the courtroom strain when deputies hustled him back to his cell after Judge Brown recessed the trial until 9 a.m. Monday.

Sergeant Says Ruby Indicated Slaying Plotted for Two Days

A Dallas police sergeant quoted Jack Ruby Friday as saying he killed Lee Harvey Oswald "to let the world know that Jews have guts . . . and to spare Jacqueline Kennedy from having to testify."

Police Sgt. P. T. Dean said Ruby also indicated he plotted the slaying for two days.

Dean's testimony electrified the courtroom, where Ruby is standing trial on a charge of murdering Oswald in the City Hall basement Nov. 24 while millions watched on television.

Defense attorneys Melvin Belli, Joe Tonahill and Phil Burleson shouted objections to the testimony. They claimed it violated Ruby's constitutional rights.

JUDGE Joe B. Brown ruled, however, that jurors had a right to hear the testimony.

Despite warnings from Judge Brown, attorneys clashed repeatedly throughout the officer's testimony.

Belli implied that prosecutors told Dean what to say while on the stand and that the officer had "memorized" his testimony.

Assistant Dist. Atty. William F. Alexander accused Belli of trying to distort Dean's testimony and of making "dirty remarks" while the officer was on the stand.

Dean said Ruby was asked, "Jack, why did you do it?" after he shot Oswald. This was two

days after Oswald's arrest as the No. 1 suspect in the assassination of President Kennedy.

DEAN SAID Ruby replied that he "was shaken and emotional and despondent since the assassination of President Kennedy and the shooting of the police officer (Patrolman J. D. Tippit) and that his sister was just out of a hospital and was nervous and emotional and that he could see no sense in a long and lengthy trial, which was sure to bring the death penalty, even though he believed in the due process of law."

The sergeant said Ruby also stated in his rambling answer that he wanted to spare President Kennedy's widow the emotional strain of returning to Dallas to testify in Oswald's trial.

ACTUALLY, before Oswald was slain, Dist. Atty. Henry Wade had stated it was unlikely he would need Mrs. Kennedy as a witness while prosecuting the 24-year-old assassination suspect.)

Dean said Ruby, the 52-year-old manager of a downtown striptease club, gave one other reason for appointing himself as executioner:

"I guess I wanted to let the world know that Jews have guts." Ruby is a Jew.

Dean also quoted Ruby as saying he first "thought he would

kill him (Oswald)" on Nov. 22, the day of the assassination.

RUBY WENT to police headquarters that night and saw Oswald there.

"He said that, when he noticed the sarcastic sneer on Oswald's face . . . that's when he decided to kill him," the officer related.

Dean said Ruby appeared relatively composed after shooting Oswald, but broke into tears when he mentioned President Kennedy.

"He appeared very remorseful when he talked of President Kennedy," the police sergeant told jurors. "There were tears in his eyes."

"Big tears were rolling down his cheeks?" Belli asked.

"No, sir, but there were tears in his eyes," the officer replied.

DEAN SAID he questioned Ruby after escorting Forrest Sorrels, chief of the Secret Service office here, to the jail area where Ruby was taken after he shot Oswald.

Belli emphasized that Dean testified he went to this area about 11:30 a.m. Nov. 24—some 10 minutes after the shooting—but stated in a report to Police Chief Jess Curry that he went there at "approximately 12 noon."

Alexander argued that the words "approximately 12 noon" were broad enough to cover 11:30 a.m. Dean said he "lost track of time" in the turmoil which followed the shooting.

Marina Opposes Chair

By HUGH AYNESWORTH
© The Dallas Morning News, 1964

Marina Oswald doesn't want Jack Ruby sent to the electric chair for killing her husband, Lee Harvey Oswald.

"It was not right, what he did," she said slowly as she searched for the right words, "but I think he should be punished according to the law.

"I just do not believe in capital punishment," she added.

The remarks were made at the beginning of a 40-minute exclusive interview with the 22-year-old widow—the first such interview by a newspaper and the first time she has publicly mentioned the man who killed her husband.

"When there is no war on," she went on, "no human being has the right to take another's life."

MARINA SAID she had read some and watched television some when news of the Ruby trial was being shown, "but I'm not following it all the way. I'm just interested."

Marina said she wanted the American people to know how "very badly" she felt about what her husband had done.

"I am ashamed and sorry," she said at one time.

She said she hoped to someday "do something for America in return for the wonderful treatment I've received."

Speaking through an interpreter in Russian primarily and in English on occasion, Marina said she hoped to study English "so that I can understand everything about the American way of life."

She hopes to one day become a citizen.

ASKED ABOUT statements in a magazine that quoted her as saying she never intended to re-marry, Marina smiled and said softly, "First I want to help the FBI and all the others with anything I can—then I want to raise my two little ones in the Christian way of life."

Q.—But do you intend to marry again?

A.—(Shyly) "No, no, I do not think so now."

Marina has received many marriage proposals in the many, many letters she has gotten from over the world.

"But I don't think anything of these," she said with a smile and a gesture of her hands.

Marina wanted to talk about what she called "the wonderful expressions of love from the American people."

She told of one letter in particular that touched her. It was, she said, from a church in New Jersey and it contained a small amount of money.

"The children in the Sunday School baked and sold cakes to raise the money. I almost cried when I read it," Marina said.

A friend of Marina's interjected, "You did cry. I saw you."

Marina said she is tired, but "greatly relieved" to have settled in her new home on Belt Line Road in Richardson.

ONE INVESTIGATOR who had visited her there said, "You could eat an egg off those floors, she's scrubbed 'em so clean."

The home is neat, with three bedrooms, a kitchen and a living room, she said.

Marina praised the Rev. Louis Saunders, executive secretary of the Fort Worth Council of Churches. Saunders has delivered to Marina more than 1,000 letters from well-wishers and some \$16,000 in contributions.

Though Marina said she thought she had received an estimated \$63,000 in contributions sent to her directly, or to her business advisers or attorneys, she said she had not touched this.

This money, she said, is "under the complete control" of James Martin and John Thorne, the business adviser and lawyer Marina hired while being held in protective custody at Inn of the Six Flags at Arlington.

"I HAVE NO say-so about it," Marina said as if she didn't quite understand all the legal aspects.

(Last month Marina hired William A. McKenzie as her attorney and sent registered letters to Martin and Thorne, who had signed 10-year contracts with her in December for 15 and 10 per cent of her earnings, in an attempt to fire them. Martin and Thorne both told The News they had no intention of dropping out of the contract without contesting it legally.)

(Martin and Thorne both said the contributions were being held in trust for Marina and her children, but that she couldn't draw any of the money without their signatures.)

Marina explained that soon she would have her youngest child, Rachel, born last Oct. 20, baptized. She had secretly baptized 3-year-old Junie last year, knowing that her husband disapproved.

"Soon," she said, "I hope we are settled enough that we can begin back at church."

Q.—Are you a very religious person?

A.—I am not a fanatic, but I do believe that God's laws should be obeyed.

Q.—Where did you get your Christian background? From your mother? Father?

A.—No, from my grandmother. She was very religious. She was so good. My father and mother are both dead.

Q.—WHEN DID YOUR parents die? Do you have brothers and sisters?

A.—I never knew my father. He died when I was a very young child. My mother died when I was 16 years old. I have a half-sister, 18, and a half-brother, 18, both in Leningrad.

She said she would like to drift back to anonymity, but realized that this probably wasn't possible.

"So many people want to talk and ask me questions," she said, "I know they have a right to be curious and interested but I think only that they know of me because of the terrible things that happened."

Q.—What was your first reaction when you heard President Kennedy had been killed?

A.—I just couldn't believe it. I thought this must be a very bad man to do something like that. Then I thought of poor Mrs. Kennedy and how those children would have to grow up without a father. I've thought about them many times since, too . . . and Mrs. Tippit and her children, too.

Q.—WHAT DO YOU think most about these days?

A.—I think how very fortunate I am to have been treated so wonderfully by the American people. So many widows lose their husbands and must raise their children with no help at all, not even a kind word. I was certainly surprised. I didn't expect it this way.

Q.—Are you physically well?

A.—Yes, I'm tired, but well. I've lost my appetite sometimes. I guess I could gain 10 more pounds. (She weighs 98, is 5-foot-2 inches.) I was never very heavy, though. Some of the pictures I've seen of me make me look bigger, but I'm not much below normal.

Marina said she bought a dress downtown Friday—a size 5.

During the interview she was nervous at first but later relaxed. She wore a pretty orange dress—neat, gracious and helpful, she answered every question she understood.

FOR OSWALD CAPTURE

Dallas Hero Due National Honors

By JAMES EWELL

M. N. McDonald doesn't think of himself as a hero, but he may be one of the best-known policemen in the nation next month.

For his deed—the capture of Lee Harvey Oswald—the soft-voiced Dallas policeman may find himself visiting with President Lyndon Johnson next month.

McDonald will be honored April 10-11 in Pueblo, Colo., by the Police Protective Association of Colorado, whose officials hope President Johnson will accept their invitation to present a plaque to the policeman.

If Mr. Johnson cannot, the Colorado governor will make the presentation.

The red carpet will again be rolled out for the officer and his 31-year-old wife, Sally, when they fly to Chicago to receive more honors May 2.

The National Police Hall of Fame and Reader's Digest will present McDonald a plaque for bravery there May 2.

But his moment of deepest pride, McDonald confided Friday, will come when his own police department bestows on him the Medal of Valor.

He will receive the medal at the same time the department

posthumously honors the name of Patrolman J. D. Tippitt by presenting his widow the Medal of Honor and the Police Cross. The ceremony date is waiting on the delivery of the medals from a jeweler.

McDonald captured Oswald in the Texas Theater half an hour after Oswald shot down Tippitt shortly after the assassination.

The citations will read that McDonald risked his life to make the capture.

But McDonald modestly says he did no more than what any other Dallas policeman would have done in the same plight.

Oswald snapped a pistol at McDonald as they wrestled in the theater. The gun failed to fire. McDonald owes his life to a faulty shell. The same gun had killed his companion officer.

"I knew I had to get this man. He had killed a buddy officer and I knew he'd just as soon kill again," McDonald told The Dallas News in an interview last January.

He says he still feels the same way today. It wasn't really a matter of being brave that drove him to the capture, he said.

"I think rather that it was something I had to do."



—Dallas News Staff Photo

**M. N. McDonald . . . for capturing Oswald
honors are coming.**

FIRST TIME

Nervous Ruby Watches Film Showing Slaying of Oswald

Hunched forward, his head cocked toward his right shoulder, Jack Ruby sat in a darkened courtroom here Friday and watched films which showed him firing a lethal bullet into Lee Harvey Oswald.

Ruby appeared tense as the pictures flickered on a screen within 10 feet of his chair at the defense table in Criminal District Court No. 3. He gnawed at his nails, fidgeted in his chair and rubbed his chin with his hand.

But he made no outcry as attorneys showed two reels, both at regular speeds and in slow motion, over a 2-hour period.

The 32-year-old slayer was seeing the films for the first time. He has been behind jail bars since he sprang forward in the City Hall basement Nov. 24 and fired the shot which silenced Oswald.

That was two days after police jailed Oswald, a 24-year-old Communist sympathizer on charges of

murdering President John F. Kennedy and Patrolman J. D. Tippit and critically wounding Gov. John Connally.

The films were shown twice, once for Judge Joe B. Brown and attorneys, and again for the jury.

Chewing gum, Ruby kept his eyes fixed on the screen during the first showing of the silent films. But, when they were rerun for the jury, Ruby frequently looked down and closed his eyes.

Police Lt. Jack Revill supplied a running commentary, using a ruler to point out various figures on the screen.

Revill spoke in a monotone over the soft whirr of a projector operated by Jim Underwood, a KRIL-TV photographer.

"On the right side we see a hat. It later proves to be Jack Ruby . . ." Revill said, pointing to a gray hat with a dark band.

"Now we see Leavelle (Detective J. R. Leavelle, who was handcuffed to Oswald) and more

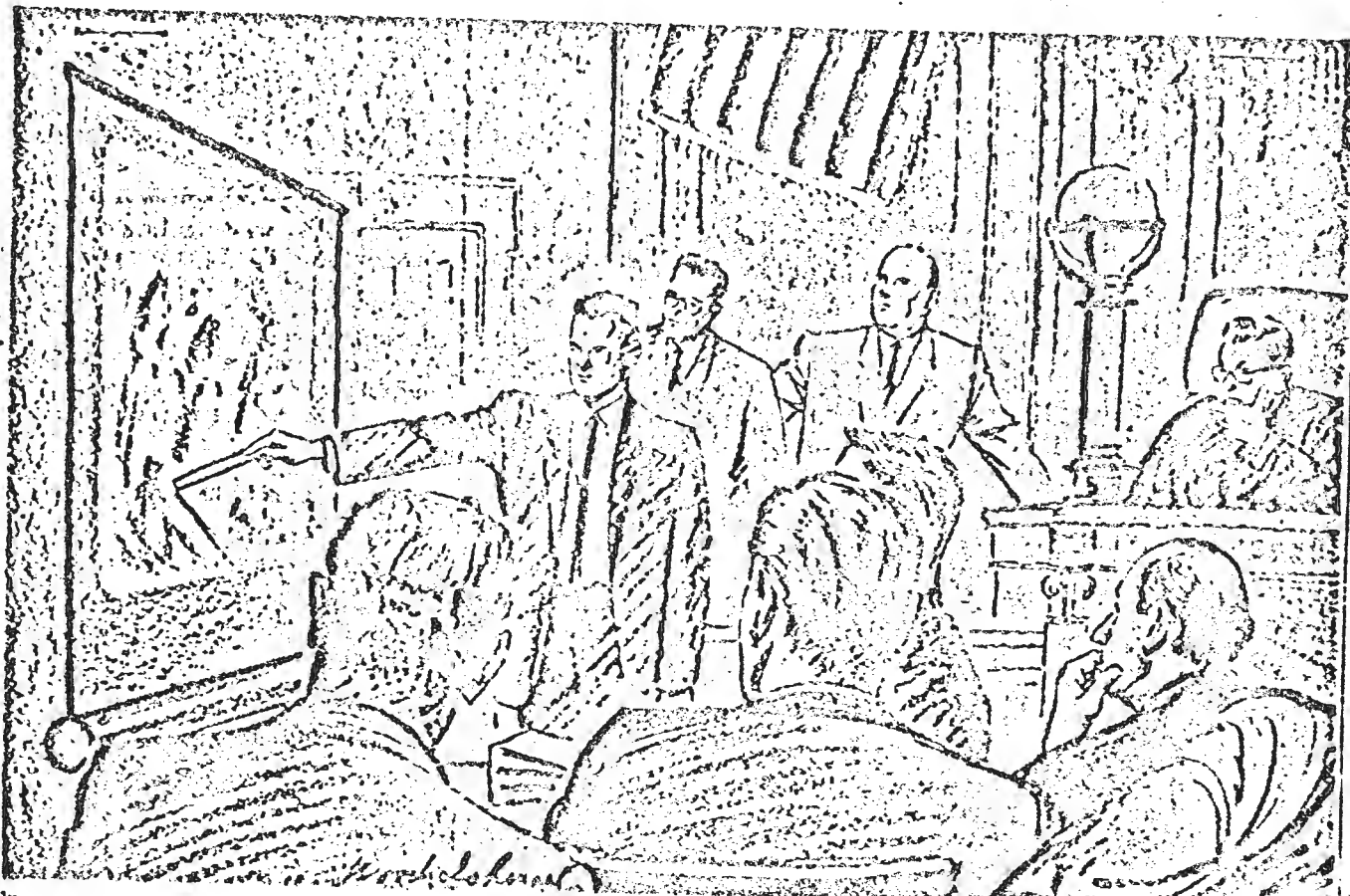
of Ruby's hat . . . Now Oswald is in the frame . . . Here we see Ruby moving toward Leavelle, Oswald and Graves (Detective L. C. Graves, who was also guarding the Marxist) . . ."

Defense attorneys interrupted to ask about a white object visible on the screen.

Revill looked closely and said, "I can't make it out." Then, after another examination, he told the lawyers, "It is the ear of a Japanese newsman."

Revill continued:

"In this scene we see Jack Ruby coming forward and here Lt. Graves, Lee Harvey Oswald, Leavelle, part of Capt. Fritz (Homicide Capt. Will Fritz) . . . Ruby's back was to the camera. Spectators could not see him actually fire the shot. But they could get a glimpse of Oswald dumping toward the floor . . . then bedlam."



This was the scene Friday in Criminal District Court as depicted by artist Woodi Ishmael when Jack Ruby saw for the first time films of the slaying of Lee Harvey Oswald. Police Lt. Jack

Revill points to the screen as he narrates. Judge Joe B. Brown is on the bench. In foreground, left to right, are Police Capt. Glenn King, a guard and defendant Ruby.



—Dallas News Staff Photo.

WAITING FOR THE BIGGEST SHOW IN TOWN

About two dozen lucky persons get to sit in on the Jack Ruby murder trial at any one time. This doesn't keep a long line of hopefuls from waiting

for the infrequent vacancies that occur. Friday was no exception as this line testifies. A line such as this witnessed an electrifying jail break later in the day.

8

Attorneys To Put Ruby On Stand

Jack Ruby will "definitely testify" during his murder trial, his lawyers said Friday.

Before the defense began presenting its case, attorney Melvin Belli told jurors:

"We'll show you that Jack Ruby has organic brain damage . . . We'll prove for you, ladies and gentlemen of the jury, that this boy's mother was an inmate of the Elgin (Ill.) state hospital and that his brother was in a veterans hospital for mental treatment.

"We'll also give you the physical history of the defendant from the time of his birth — and the kind of birth he had—to the present."

Belli said part of this defense testimony would come from Ruby himself.

Since a suspect cannot be forced to testify against himself, Ruby had the legal right to remain off the stand. Jurors are warned they cannot consider the failure of a defendant to testify.

If Ruby does take the stand, prosecutors will have the right to cross examine him.

"We will welcome that opportunity," Dist. Atty. Henry Wade said.

Belli feels, apparently, that Ruby can withstand the cross examination and help his case by taking the stand.

Spectators Get Chuckle During Film

A police lieutenant gave spectators a chuckle during the Jack Ruby murder trial Friday.

Lt. Jack Revill was narrating films which showed Jack Ruby shooting Lee Harvey Oswald.

Using a ruler to point out individuals on the screen, Revill spoke in a monotone.

"This is Detective Leavelle . . . Here we seen Capt. Fritz . . . This is Detective Graves. He is holding the pistol."

Then Peggy Simpson, an Associated Press reporter, appeared at the edge of the screen.

Pointing to her, Revill said in the same monotone, "This appears to be a female . . ."

Laughter echoed through the courtroom.

Judge Joe B. Brown called for order. But there was a trace of a smile on his face, too.

★ RUBY TRIAL COOLS OFF

The Jack Ruby trial had a new feel Friday.

The courtroom air-conditioning system was working again.

"They fixed it during the night," Sheriff Bill Decker said. "I told them that, if they didn't, everybody in the courtroom would end up in a sickbed, the way they were having to swelter."

★ OLD PRO UPSTAGED

Unruffled, chief defense attorney Melvin Belli at the Jack Ruby trial had only one comment Friday about the county jail break in the courthouse:

"Some ham convict tried to upstage me by breaking out of jail," he said.



—Associated Press Wirephoto.

FAMILY REUNION

Mrs. Rosemary Causey, right, wife of Max E. Causey, a juror in the Jack Ruby murder trial, visited the courtroom Friday to watch her husband in the jury box. Frances Locklear came with her.

16

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 Belmont ☒
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MAR 17 1964

By Maurice C. Carroll
Of The Herald Tribune Staff

DALLAS, Tex.

Outside the courtroom where Jack Ruby is on trial for the world's first televised murder, seven convicts — one armed with a fake pistol — staged a preposterous, televised jail-break yesterday.

The man with the gun marched a hostage past the first defense witness, a pregnant girl who slumped to the floor in terror; past armed guards at the courtroom door; through the crowd of photographers and whirling TV cameras, down the marble steps where spectators lined up waiting to see the big trial.

This happened at about 3:35 p. m., just as the defense was getting ready to start its case on the trial's 17th day.

Out the glass doors of the courthouse he marched his captive. Behind him the "escape" sirens wailed and a slight, young messenger boy for CBS captured another escapee but — in the turmoil — five other felons slipped from the courthouse jail.

Inside the courtroom, after an unexplained pause, a 15-year-old strip-tease dancer called Little Lynn was escorted to the witness stand and made a brief, flutery but effective performance.

NEWS TO COURTROOM

The spectators in court didn't find out about it until Judge Joe B. Brown ended the session a little after 5 p. m. but the most bizarre sideshow yet — a full-scale jail-break — had just erupted outside.

Of the escapees, mostly serving long terms for robbery and armed robbery, four were still at large last night, with 1,700 Dallas County lawmen looking for them.

Two thugs, including the man who had marched the judge's clerk, Mrs. W. L. Thornton, through the corridor crowded with spectators, reporters, photographers and guards, were captured quickly. A third was taken a short time later.

As the pistol-wielding Clarence Gregory led Mrs. Thornton out the courthouse door, lawmen followed at a respectful distance. Gregory had what looked like a black, snub-nosed pistol pressed into Mrs. Thornton's back.

"Go to a parking lot," Mrs. Thornton said to her captor. "You can make a break for it there."

SHERIFF GRABS HIM

They hurried to the parking lot, next door to the courthouse, and there, Deputy Sheriff Charles Player, who has been helping guard the Ruby trial, grabbed him from behind.

Meanwhile Deputy Rosemary Allen, who had been "frisking" the women spectators at the Ruby trial, saw another of the escapees run into a stairwell near the special press room set up for reporters covering the big trial.

"Stop that man," she yelled. "Stop that man, he's an escaped prisoner."

Leon Davis, 22, working as a messenger for CBS at the Ruby trial, was coming up those stairs. He spread his arms and the fleeing prisoner, John Jenkins, ran right into them.

Then three men from the Probate Court, next to the press headquarters, ran down and grabbed the escapees arms.

The seven escapees were in a dayroom on the sixth floor of the 1,100-inmate prison, which occupies the top floors of the same building where Ruby is on trial. Around the corner is the School Book Depository where the sniper hid to fire at President Kennedy on Nov. 22.

Somewhat — Sheriff Bill Decker didn't have all the details down immediately — the seven managed to capture two jailers and march them to the special, extra-lock elevator, well that serves the jail.

A lawyer, G. Ray Lee, was on his way up in the elevator to see a client at the time.

The car stopped at the fourth floor — how the prisoners got down the two floors is not immediately clear — and into the car surged the whole crew.

"Show 'em the gun," one shouted. "They don't believe we have a gun."

Down to the second floor, where the Ruby murder trial was underway, sped the elevator. There the escapees "frisked" turnkey LeRoy Hunt and found keys that opened the door to the crowded corridor. It was piled with camera equipment, littered with coffee containers and cigarette butts, but it is the working space for photographers covering the trial.

Just then, Miss Allen was turning into the corridor, leading Mrs. Melvin Belli, wife of Ruby's chief defense lawyer, and Karen Lynn Bennett, 19, a plump, pregnant, little blonde who once worked as a strip-teaser at Ruby's Carousel Club.

"Nobody's supposed to come out of that door like that," Miss Allen said, and she started to scream. She shoved Mrs. Belli and Little Lynn through a door into another stairwell.

Already nervous, the little blonde witness became terrified.

"Close the door," she screamed. "Close the door. He's after me. He's after me."

She swooned on the stairs.

Walking by at the time was a local TV newsman, Wes Wise, who had been a witness for the prosecution.

"Get some smelling salts or a wet rag or something," said Mrs. Belli.

Mr. Wise headed back toward the press room just as Mrs. Thornton, a grey-haired woman in a plaid dress and a fluffy red scarf, marched by in the other direction, with her captor behind her.

"Get out of my way, please," she said. "He has a gun in my back."

Mr. Wise kept right on going in the other direction. He came back a moment later with a wet paper towel to mop Little Lynn's brow.

The escapee marched Mrs. Thornton past the photographers — some of whom still thought that the turmoil was due to efforts to get a picture of Little Lynn — and on past the long line of waiting spectators on the marble stairs.

"She was quite calm," said Louis G. Richardson, at the head of the line. "He seemed more nervous than she did."

Had the other escapees gone past there too?

"We can't be quite sure. The guards had just let some sort of prisoner past, and it was a bit confused," deputies said.

The spectators pressed back against the wall and the captive and captor hurried down.

When Deputy Player finally grabbed Gregory from behind, he dropped his "gun." The barrel was a taped pencil. The rest was made of soap, bits of wood and metal, all stuck together with blackstrap but it looked real and deadly. The prisoners had had pancakes for breakfast.

Mrs. Thornton had been sitting peacefully in her office, when a Probate Court employee, Edna Biggs, came running in. "Run, Ruth, run. He's got a gun, he's got a gun," gasped Miss Biggs.

Both women tried to get out a rear door of the office, which also leads into a courtroom. From the empty courtroom dashed Gregory. He grabbed Mrs. Thornton. "Show me the way out," he said.

"There is no way out, only the window," she said. "But if you go out the window, you're done for."

"Then we'll just have to go out the front way," he said. Mrs. Thornton recalled later that he was "very polite."

Despite the turmoil, the legal show had to go on.

Little Lynn, her plump face pallid above a white maternity suit topped with a demure round collar, her blonde bouffant hair a little disarranged, was led to the witness stand by Mr. Belli.

The perky manner she showed on the witness stand gave no hint of the fear she had just experienced.

In a firm voice, with a soft Texas twang, she told how she had telephoned Ruby to wire her some money on the morning that Lee Harvey Oswald, accused assassin of President Kennedy, was shot to death in the basement of Dallas Police Headquarters.

"I talked to him between 10 and 10:30 on that Sunday morning," she said. "He sounded like he had been crying."

Little Lynn, who is just 19, said she needed money to pay the rent on her Fort Worth apartment.

The defense already was said that Ruby wired the money from a Western Union office at 11:17 that morning, just a few minutes before Oswald was shot, an argument against any charges of premeditation.

Little Lynn made a string of points for the defense. The claim is that Ruby shot Oswald during an attack of psychomotor epilepsy, that he is suffering from organic brain damage, and the defense lawyers have tried to paint a picture of a volatile, erratic, violent man.

"He had a very quick temper," Little Lynn said. He'd fly off the handle. But then it was all over."

District Attorney Henry Wade was gentle in his cross examination of Little Lynn, described by Mr. Belli as "the little girl but for whom this wouldn't have happened."

"Her call woke him (Ruby) up that morning," Mr. Belli said.

After about 15 minutes on the stand, she was escorted out of the courtroom and into the clerk's office outside. The turmoil following on the jail-break was still swirling.

In a sense, yesterday's wild doings wrote a postscript to the day. The court session had started with showing of films from that other frantic day, when Oswald was shot. They were repeated at slow speeds.

As cameramen's lights flashed, the films showed, police hustling the handcuffed Oswald through the door, past a crowd of reporters and guards, toward the backing fender of an automobile.

Over and over they showed how a radio reporter stuck a microphone in front of Oswald, then drew it back as a lunging figure thrust a pistol into Oswald's abdomen.

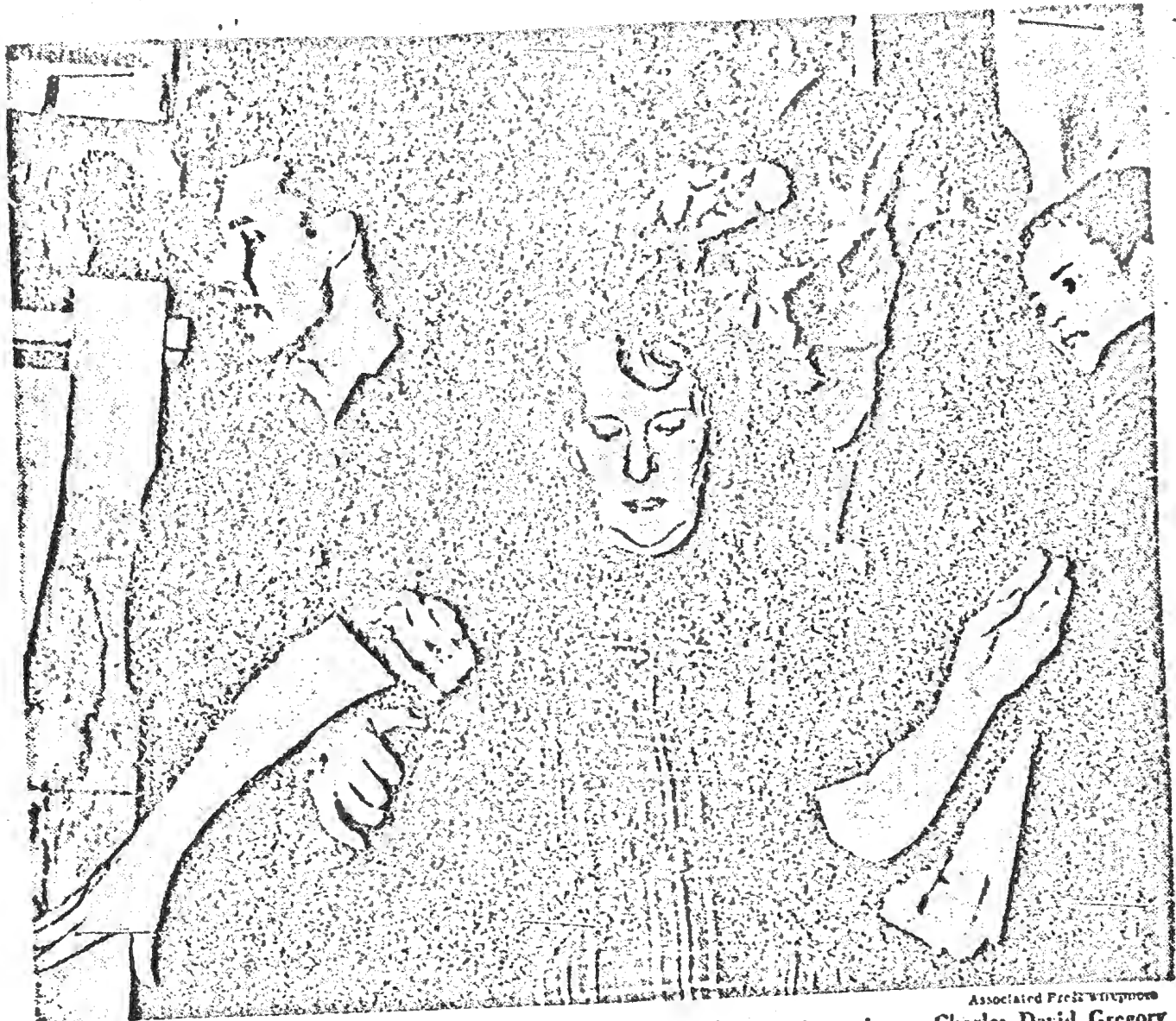
They showed Oswald's face twisted in wracking pain and police scrambling for the killer and weapon.

Jack Ruby, the man with the pistol, had never seen the films. He crouched forward at the defense table and peered intently over the broad shoulder of lawyer Paul Burleson.

It didn't appear that he was saying much. Had he spoken?

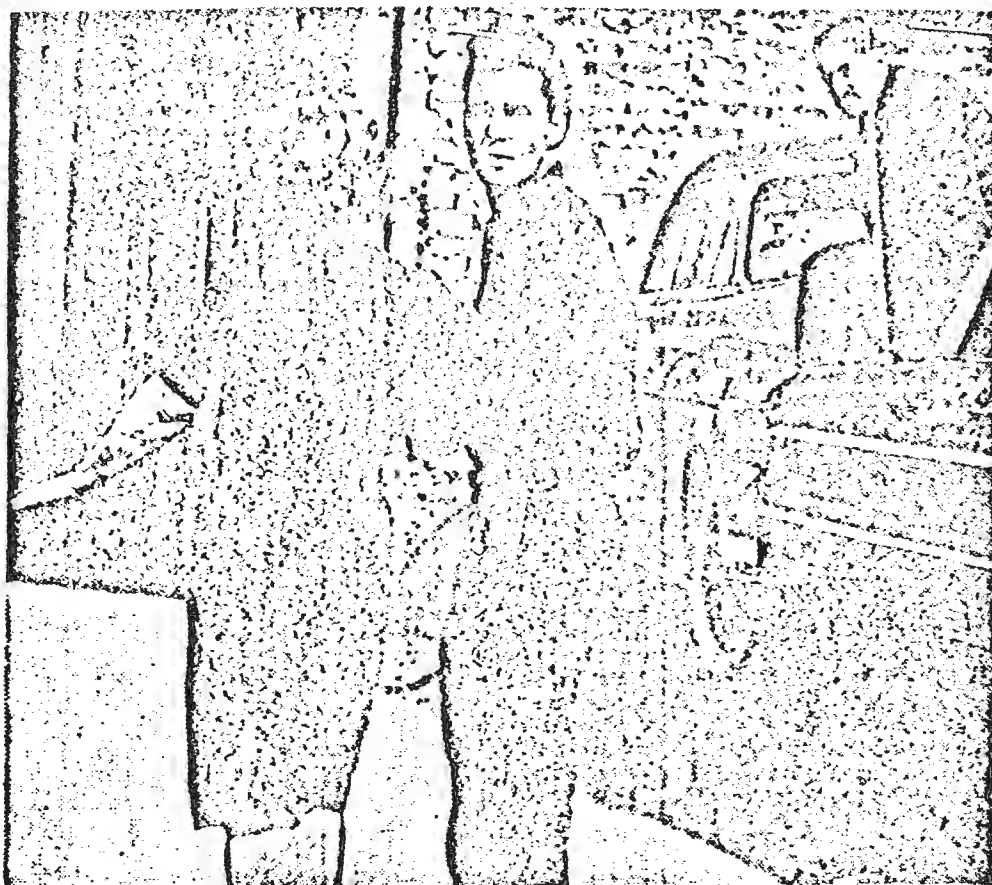
"He just said he didn't remember the crowd," Mr. Burleson recalled.

On Thursday, Detective Thomas McMillon had testified he clearly remembered Ruby shouting an obscene phrase at Oswald as he plunged forward to shoot the accused assassin.



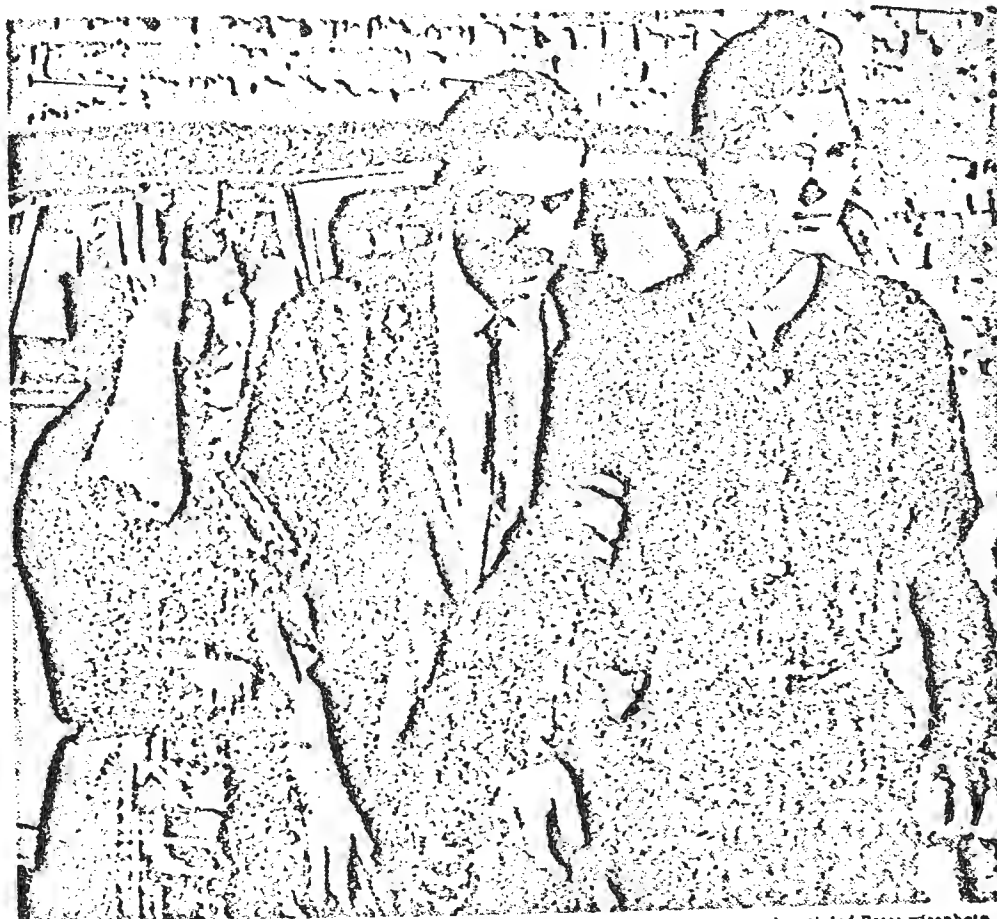
Associated Press Wirephoto

PAST TERRIFIED THRONG on a stairwell outside the Ruby trial, fleeing prisoner Charles David Gregory hustles a hostage, clerk Ruth Thornton, at whose ribs he hold a soap "gun."



Associated Press wirephoto

THE ESCAPE—Charles David Gregory looks back at photographer as he marches Mrs. Ruth Thornton, with a bogus gun in her back, down the street away from the Dallas Criminal Courts yesterday. At right, Deputy Sheriff Charles Player climbs over parked car on his way to intercept the escaping prisoner and free hostage . . .



Associated Press wirephoto

THE CAPTURE—Sheriff Player leads Gregory away after taking his soap pistol as Mrs. Thornton gasps with relief. The deputy stood his ground and the prisoner offered no resistance. Mrs. Thornton was shaken by her hostage role, but unharmed.

Tolson ☒
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UPI-46

(RUBY)

DALLAS--TENSE AND GNAVING HIS NAILS, JACK RUBY TODAY WATCHED HIMSELF SHOOT LEE HARVEY OSWALD IN SLOW MOTION AT HIS MURDER TRIAL.

AS THE DISTRICT ATTORNEY SHOWED FILMS OF THE SLAYING OF THE ACCUSED ASSASSIN IN THE DARKENED COURTROOM, RUBY LEANED FORWARD NERVOUSLY, HIS ELBOW ON THE DEFENSE TABLE, HIS HAND ON HIS CHIN.

THE JURY WAS NOT PRESENT FOR THE FILMING.

THE SLOW MOTION FILM WAS TAKEN BY ISIDORE BLECKMAN, A NEWSFILM CAMERAMAN FOR UPI ON THAT FATEFUL SUNDAY MORNING.

IT WAS SHOWN IN STOP-MOTION SEQUENCE SO THE KEY MOMENTS OF THE DRAMA COULD BE FROZEN FOR THE VIEWERS.

THE SHOWING WAS WITHOUT THE JURY TO ALLOW THE DEFENSE A CHANCE TO OBJECT TO PORTIONS OF THE FILM IT THOUGHT MIGHT PREJUDICE RUBY'S CASE.

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 125 MAR 12 1964

WASHINGTON CAPITAL NEWS SERVICE

(Mount Clipping in Space Below)

Police Quote Ruby as Saying 'Somebody' Had to Do It'

(Indicate page, name of newspaper, city and state.)

"The Dallas
Morning News"
Dallas, Texas

{ 3 Shots Intended, Detectives Testify

By HUGH AYNESWORTH and CARL FREUND

Detectives quoted Jack Ruby Thursday as saying that he decided to fire three bullets into Lee Harvey Oswald at close range because "somebody had to do it."

The detectives, Thomas McMillon and Don Archer, pictured Ruby as a sane, cold-blooded killer who shot Oswald while the 24-year-old Communist sympathizer was manacled and defenseless.

Jurors in Ruby's murder trial listened intently to their testimony. They must decide whether Ruby is guilty of murder because he shot Oswald in the City Hall basement Nov. 24—two days after Oswald was accused of assassinating President Kennedy here.

Melvin Belli, the chief defense lawyer, termed the testimony "damning," while challenging its accuracy. If jurors believe the testimony, it destroys the defense claim that Ruby pulled the trigger of his Colt Cobra revolver while in a mental "blackout."

Belli and another defense lawyer, Joe Tonahill, charged that

Date: 3-6-64
Edition:
Author:
Editor:
Title: Jack B. Krueger

Character:
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Submitting Office: Dallas

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Dist. Atty. Henry Wade and his assistants coached the officers and they "memorized" their testimony before taking the stand.

Wade and the detectives said that wasn't true.

Highlights of their testimony:

—McMillon said Ruby referred to Oswald as "you rat son of a bitch" before firing a bullet into him.

—The detective said a police captain asked Ruby, "Of all the low life scum things . . . why did you do it?" and the slayer replied, "Well, somebody had to do it, and you guys (Dallas police officers) couldn't."

—Both McMillon and Archer testified that Ruby said he intended to pump three bullets into Oswald, but officers overpowered him after he fired one shot.

—The detectives said Ruby appeared calm.

WADE SAID he expects to complete his basic case against Ruby Friday morning by showing films of the slaying. Then defense lawyers will call witnesses in an attempt to show Ruby was temporarily insane.

Only one other witness testified Thursday.

Detective L. C. Graves told how he grabbed Ruby and tried to wrest the pistol from the grasp of the striptease-club manager. Graves said Ruby kept trying to pull the trigger.

When he finally disarmed Ruby, the homicide detective said, he checked the revolver and found five live rounds in it.

Graves said he did not hear Ruby use the phrase "son of a bitch," but Archer testified the slayer used it twice.

ARCHER SAID Ruby shouted the phrase an instant before the shot and then, when overpowered, said, "I hope the son of a bitch dies."

Belli kept McMillon on the stand throughout the afternoon.

The defense lawyer became more and more exasperated as the detective parried questions.

When prosecutors protested that Belli was becoming argumentative,

Judge Joe B. Brown ordered the defense lawyer to remain seated while asking questions. The judge also turned down two defense requests that he halt the trial.

Belli said Judge Brown should declare a mistrial and move the case to another county because of "unfair tactics" by prosecutors.

REFERRING TO McMillon's testimony that Ruby stated "somebody had to do it," Belli told the detective, "This is one of the most damning things you have tried to sell . . ."

Tonshill accused the detective of giving "evasive answers."

McMillon said Belli asked "trick" questions.

McMillon did say during cross-examination that Ruby also told him, "You all won't believe this, but I didn't have this planned. I couldn't have timed it as perfectly."

This would bolster the defense argument that, if Ruby is guilty of murder, it would be murder without malice. The maximum penalty is five years in prison.

GRAVES told how he walked alongside Oswald toward a car which was waiting to take the assassination suspect to the county jail.

As they strode through the corridor, Graves said, they faced the glare of floodlights set up by television crews. Reporters strained forward, attempting to get a better view of Oswald.

"We were within six feet of the car when a man sprang out of the crowd of people and shot Oswald," Graves related. "He came up from my left a split second before the shot. I saw the pistol and him simultaneously."

Graves said he reached for the pistol.

Then, at Wade's suggestion, he left the witness chair and demonstrated to jurors how he tried to disarm Ruby.

"DID YOU GRAB it (the pistol) about the time it went off?"

Wade asked.

A. Yes, sir.

Q. What did you do?

A. I pulled his arm down and wrested the gun away.

Q. What was Ruby doing?

A. He kept pulling and squeezing the trigger.

Q. Did you look at his face?

A. No, sir. I was too busy with the gun.

Graves said the revolver contained five live rounds and one spent shell. Wade showed the bullets to the jury, then resumed the questioning.

Q. You heard the shot?

A. Yes, sir. And I saw it . . . I was within six inches of his hand when it went off.

THEN BELLI got his turn to question the detective.

Graves said in answer to question that he never heard Ruby express a hope that Oswald would die from his wound.

Belli emphasized that Graves was only a few feet away and should have heard any remark if Ruby actually made it.

Graves pointed out there was "mass confusion" in the basement after the shooting. While twisting the pistol from Ruby's grasp, the detective said, he turned his back on other officers who were also trying to subdue the slayer.

THEN BELLI abruptly switched tactics.

The San Francisco lawyer asked Graves, "Did you hear Detective J. R. Leavelle tell Oswald, 'I hope somebody shoots you, you son of a bitch'?"

Graves appeared shocked at the suggestion.

"You mean did I hear Officer Leavelle say that? No, sir, I did not!" he replied.

"Did you hear Leavelle tell Oswald, 'If somebody shoots you, I hope they're as good a shot as you were,'" Belli inquired.

Graves said he never heard Leavelle make such a statement.

Belli told Judge Brown defense lawyers did not believe any conspiracy or collusion existed between Ruby and Dallas police officers.

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cers in the shooting of Oswald. The lawyer said, however, that he wanted to ask questions "so we'll have something in the record."

GRAVES SAID he knew of no collusion.

While Graves was on the stand, Belli picked up the death weapon and aimed it at the courtroom ceiling. He said he was holding it in the same manner as Ruby grasped it, with his middle finger around the trigger.

"Have you ever seen an expert in his right mind shoot one (a pistol) with a claw hand like that?" Belli asked.

"It would be most unusual for me," Graves replied, adding people hold guns in various ways.

Later, under renewed questioning by Wade, Graves said he had "heard and read" about quick-draw artists pulling the trigger with the middle finger in the belief this increased their accuracy.

ARCHER'S and McMillon's testimony proved especially damaging to the defense.

After telling jurors that Ruby stated he had planned to fire three shots, Archer mentioned the slayer's police record.

This brought heated protests from Belli and Tonahill.

Judge Brown offered to tell jurors that they should not consider testimony about the police record.

"No," Belli said, "We want it in the court record. You can't bring a bell. But we want the court record to show exactly what he was arrested for. Was it murder, rape, kidnaping or what?"

ARCHER SAID he didn't know. When Belli persisted, the detective said he knew only that the arrest record "had to do with one of his clubs" and he assumed only minor offenses were involved.

The defense lawyers insisted they had the right to see a report which Archer filed the day Oswald was shot. They asked Judge Brown to order the report produced.

Archer said he didn't have a copy.

Wade announced, "We don't have a copy."

Defense lawyers said they were sure Archer's testimony and the report wouldn't jibe.

Judge Brown said he would not require prosecutors to produce statements prepared by Archer "or any other officer."

McMILLON SAID he was close enough to hear Ruby's words as the killer took his bizarre lunge at Oswald.

"You rat son of a bitch, you killed the President," McMillon quoted Ruby as saying.

McMillon, a policeman nearly eight years, said he was one of the officers who jumped on and wrestled with Ruby. It was his handcuffs that they put on the 52-year-old Ruby a few seconds after all the action.

McMillon said he heard Ruby screaming, "I hope I killed" him. He said Ruby said it more than once, and said also, "You know me, you know me, I'm Jack Ruby."

McMILLON BACKED up the previous witness, Archer, when he said he heard Ruby's reply to Archer, "I meant to shoot him three times, but you guys were too fast."

Belli asked McMillon several times to repeat what Ruby had said.

McMillon did so several times, once or twice changing a word here and there but getting the same message across. He once said "intended" instead of "meant" and said "you policemen" and "you all" instead of "you guys."

Belli tried to get McMillon to call Ruby "peculiar, a queer character, an odd character" and other descriptive terms, but McMillon said, "I didn't know him that well. I knew he had had some trouble with the police, had been arrested and ran a night club, but that's about all I knew of him."

BELLI'S cross-examination brought out further remarks attributed to his client.

He asked McMillon about conversations as Ruby was being taken from the City Hall basement to the fifth floor jail quarters.

McMillon quoted Capt. Glen King as saying to Ruby, "Of all the low-life things that ever happened, why did you do it?"

McMillon said Ruby replied: "Somebody had to do it, somebody had to do it. You guys couldn't."

ONCE WHEN McMillon paused and started over, Belli implied that the policeman had memorized his statement.

"I haven't memorized anything," said the witness.

McMillon said he had met with Wade and Alexander on four different occasions to discuss with them what he heard, did and saw.

Belli: "In which of the four conversations with the district attorney's office did you recall the 'low life things and why did you do it?'"

WHEN McMILLON said he thought it was the second discussion, with Alexander, Belli said saucily:

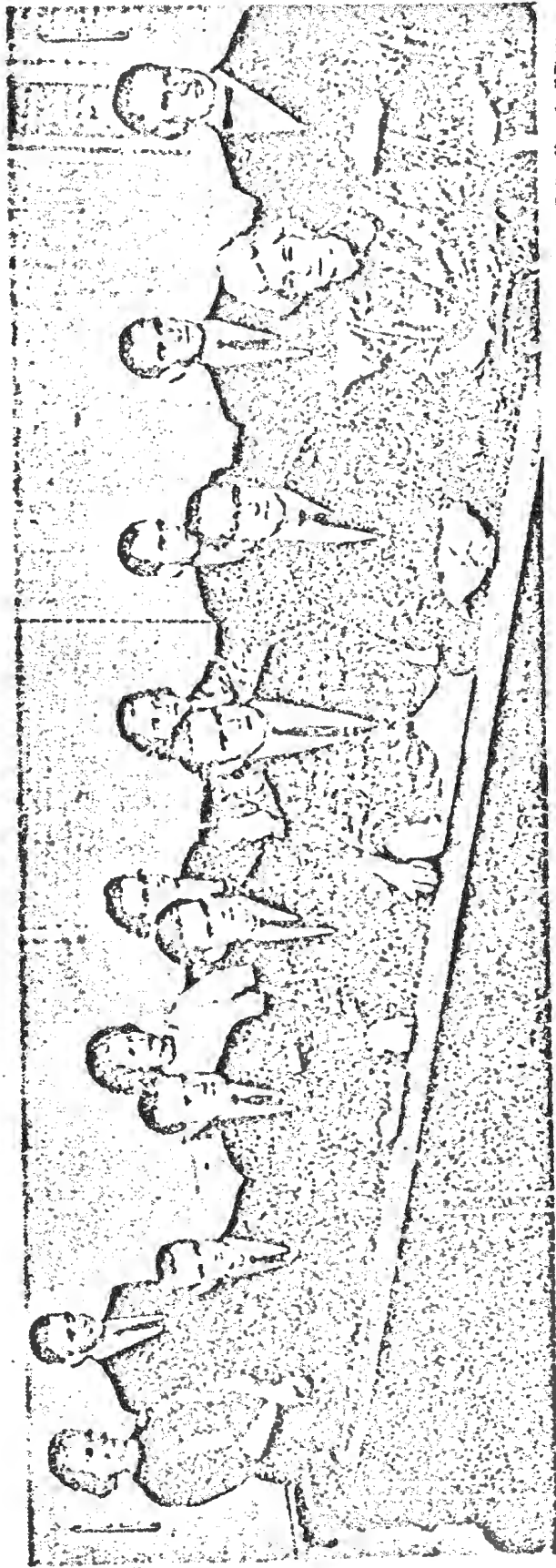
"Who helped you remember this? Did it come out of Mr. Alexander's mind?"

"That's just what I heard, sir," said the witness.

Belli made much of the fact that Judge Brown refused to allow statements made by the police officers a few hours after the Nov. 24 tragedy to be brought forth. Belli said he needed them for "cross-examination and impeachment purposes."

After a number of remarks by Belli about not being able to see them, Wade arose and offered to introduce McMillon's two statements (Nov. 24 and Nov. 30) into evidence.

Then Belli roared for a mistrial. He claimed he had not had a chance to read the statements, didn't know what was in them and therefore could not agree to their admission.



—Dallas News Staff Photo.

Bailiffs Mrs. Nell Tyler and Bo Mabre, standing left, watch over the jury which must decide the fate of Jack Ruby, killer of accused presidential assassin Lee Harvey Oswald. Jurors are, front row, left to right, Luther Gene Dickerson, Max E. Causey, R. J.

Flehtner Jr., J. G. Holton, James E. Cunningham and Mrs. Louis Malone. Second row, Mrs. Mildred McCollum, Mrs. Alleen E. Shields, Mrs. Gwen L. English, Douglas J. Sowell, J. Waymon Rose and Allen W. McCoy. The jury was chosen after 10 days.

'Intended 3 Shots': Officer Quotes Ruby

A Dallas detective dealt a devastating blow Thursday to the defense claim that Jack Ruby shot Lee Harvey Oswald while "in a blackout."

Detective Don R. Archer quoted Ruby as saying, "I intended to shoot him three times."

Archer told jurors in Ruby's murder trial that the bawling striptease club manager made the statement within five minutes after he shot Oswald in the City Hall basement Nov. 24.

Archer said he told Ruby, "Jack, I think you've killed him."

Then, the detective testified, Ruby replied, "I intended to shoot him three times."

The testimony could hurt the defense contention that Ruby didn't know what he was doing when he shot Oswald.

If jurors believed the testimony, they could conclude that:

—Ruby knew exactly what he was doing when he shot the 24-year-old suspect in the assassination of President Kennedy.

—Ruby acted with malice.

—Ruby shot to kill.

THESE ARE basic points which Dist Atty. Henry Wade and his assistants—A. D. Jim Bowie, William F. Alexander and Frank Watts—must prove to get a conviction of murder with malice.

Defense lawyers say they believe Ruby was temporarily insane and, therefore, innocent of murder under Texas law. If he is guilty of murder, they argue, it is murder without malice—a charge which carries five years in prison as the maximum penalty.

Melvin Belli, the chief defense lawyer, cross-examined Archer at length in an attempt to discredit his testimony. The detective said he was certain that Ruby stated he intended to fire two more shots.

Archer said he had discussed his testimony "two or three times" with prosecutors.

The detective also said that he didn't mention Ruby's remark to two FBI agents who questioned him.

"They didn't ask me," Archer told Belli. "They were interested in the breakdown of security—how he got in (the heavily guarded basement)."

JUDGE Joe B. Brown let Archer testify about his brief conversation with Ruby despite defense objections.

Ruby's lawyers argued the testimony was inadmissible because Ruby was under arrest. But Judge Brown allowed Archer to testify on the theory that the conversation was closely related to the shooting itself.

Archer gave other testimony damaging to the defense.

Replying to questions from Wade, the detective said he heard Ruby shout the phrase "son of a bitch" an instant before he shot Oswald.

"His lips were moving, but I couldn't hear the rest of what he said," the witness added.

Archer said also that Ruby appeared calm after the shooting.

Belli asked, "Was there any doubt whether he (Ruby) was acting automatically or under his own volition?"

"NO, SIR," Archer replied. "I never had any thought in my mind about that."

The reply led to this exchange:

Q. When you first saw his face, was it calm and blank?

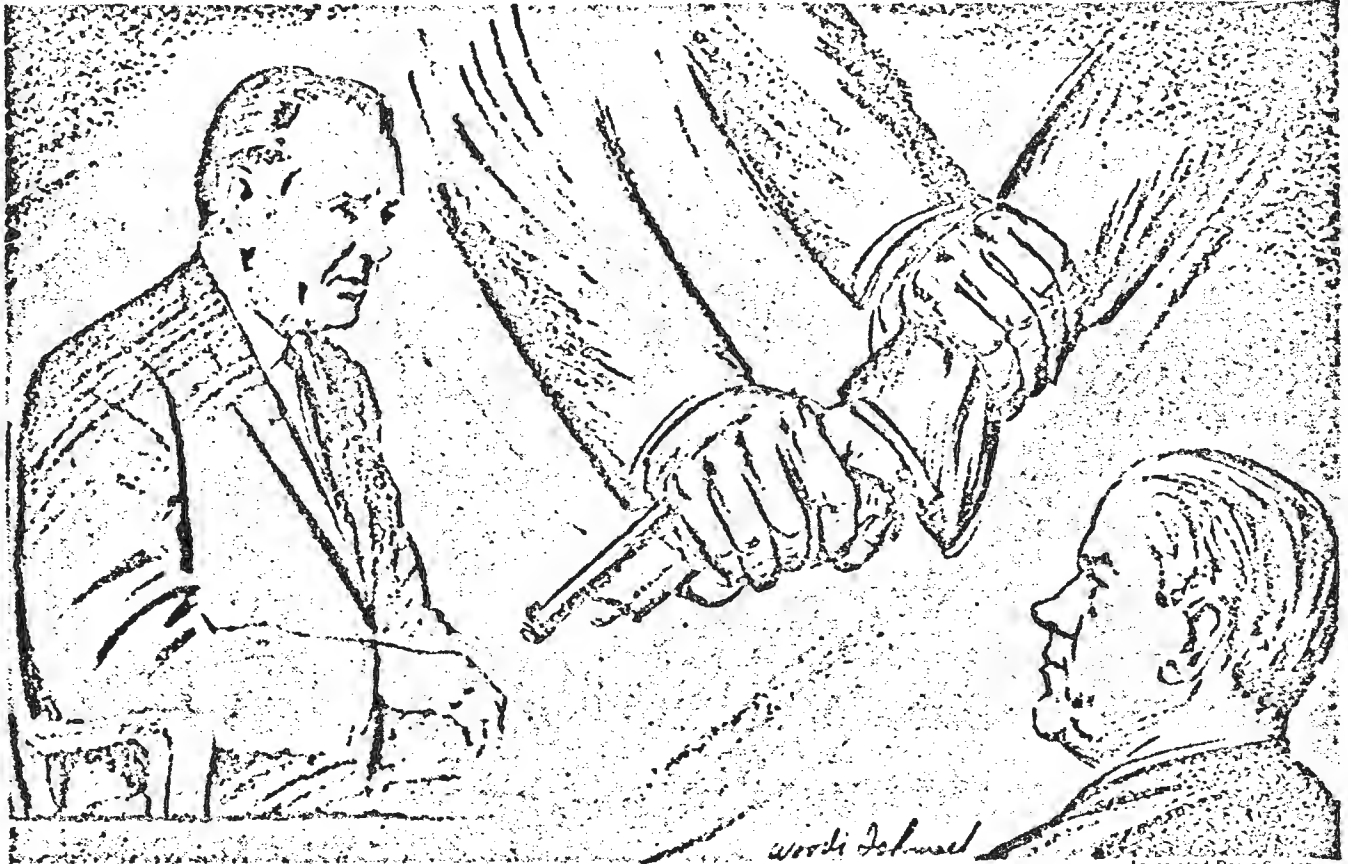
A. Under the circumstances, I'd say it was exceptionally calm.

Q. What do you mean by "under the circumstances?"

A. The fact he had just killed a man.

When officers overpowered Ruby, Archer related, the nightclub manager told them, "You all know me, I'm Jack Ruby."

Defense lawyers say Ruby recalls making this statement. They say it is the first thing he can recall after he "blacked out" seconds before he shot Oswald.



This sketch by artist Woodi Ishmael depicts the scene in Criminal District Court in Dallas Thursday as the first witness, L. C. Graves, left, a

Dallas police officer, explains to Dist. Atty. Henry Wade, right, how he grappled with Jack Ruby after Ruby had shot Lee Harvey Oswald on Nov. 24.

DAY IN COURT

Click Goes Hammer, Two Grin

There was a tense moment Thursday when the hammer of Jack Ruby's snubnosed .38 revolver snapped again.

Dist. Atty. Henry Wade was reenacting the shooting of Nov. 24 when he pointed the gun in the general direction of defense attorney Joe Tonahill.

Tonahill, at 245 pounds, makes quite a target.

"Aim that thing away," the Jasper attorney said in mock anxiety.

"It's not loaded," Wade grinned.

"I don't know if it is or not," said Tonahill.

"I'll check to make sure," said Wade as he pulled the trigger.

The hammer clicked.

Tonahill grinned, too.

Ruby Gets His First Look At TV Films of Shooting

DALLAS, Tex., Mar. 6 (AP). — Jack Ruby today saw for the first time a motion picture of the scene in which he shot down Lee Harvey Oswald on November 24.

He was within a few feet of a portable screen on which the picture was projected in the Dallas courtroom.

Ruby leaned forward, cupping his chin in his hands, and stared intently.

The scene originally had been broadcast "live" over television.

Barely Recognizable

His figure was barely recognizable in the picture—a man in a black suit who suddenly moved toward Oswald, the accused assassin of President Kennedy, and shot him at close range.

The jury was not present during the first showing of the picture.

Chief Defense Counsel Melvin M. Belli entered an objection to the latter portion of the film. It shows the wounded Oswald being taken to the ambulance.

Mr. Belli objected to this portion as "highly prejudicial."

He said Ruby was not in this portion of the picture and that the scene showing the dying man would tend to damage Ruby's case in the eyes of the jury.

Judge Joe B. Brown told Mr. Belli he considered the objection valid. But he said, "I don't see how we can cut it out."

State to Ask Chair

Ruby has been in jail since the November 24 shooting and has not been allowed to see television reruns of the action.

Ruby, 52, operator of a night club in Dallas, is charged with murder in the shooting of Oswald.

District Attorney Henry Wade says he will demand a verdict of death in the electric chair. The defense says Ruby was temporarily insane when he shot Oswald.

Testimony Thursday centered largely on what policemen saw and heard as the shooting took place and thereafter.

Motive at Issue

Some testimony about Ruby's alleged motive is in the record,

and Mr. Wade indicated his last witnesses may tell more.

Police wrestled Ruby to the ground and then took him to the fifth floor of police headquarters immediately after he had shot Oswald.

Policeman T. D. McMillon testified an officer had asked Ruby, "Why did you do it?" "Somebody had to do it. Somebody had to take care of it. You guys couldn't do it."

Tolson ☒
Belmont ☒
Mohr ☒
Casper ☒
Callahan ☒
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The Washington Post and Times Herald _____
The Washington Daily News _____
The Evening Star _____
New York Herald Tribune _____
New York Journal-American _____
New York Mirror _____
New York Daily News _____
New York Post _____
The New York Times _____
The Worker _____
The New Leader _____
The Wall Street Journal _____
The National Observer _____
People's World _____
Date _____

111-29215-11
NOT RECORDED
128 MAR 11 1964

68 MAR 17 1964

MAR 6 1964

(Mount Clipping in Space Below)

Ruby Shot Then Muttered He Hoped Oswald Died, Detective Tells Court

(Indicate page, name of newspaper, city and state.)

1 "The Dallas
Morning News"
Dallas, Texas

Date: 3-5-64
Edition:
Author:
Editor:
Title: Jack B. Krueger

Character:
or
Classification:
Submitting Office: Dallas

57 MAR 24 1964

44-24016-1A
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MAR 24 1964

Testimony Begins In Historic Trial

By CARL FREUND and HUGH AYNESWORTH

A Dallas homicide detective, who was manacled to Lee Harvey Oswald when Jack Ruby shot him, said Wednesday he heard Ruby mutter, "I hope the son of a bitch dies."

Detective J. R. Leavelle told a jury of eight men and four women that Ruby made the statement as his dying victim writhed in pain on the floor of the City Hall basement.

Dist. Atty. Henry Wade also presented testimony which would let jurors conclude that Ruby trailed Oswald for 20 hours before shooting the 24-year-old Marxist while millions watched on television Nov. 24.

Cameras were trained on Oswald since he had been arrested two days earlier as the No. 1 suspect in the assassination of President John F. Kennedy and murder of policeman J. D. Tippit.

Wade and his assistants, William F. Alexander, A. D. Jim Bowie and Frank Watts, called 14 witnesses to the stand during the first day of testimony in their attempt to send Ruby to the electric chair.

Jurors Shown Death Weapon

The prosecutors also showed jurors the Colt Cobra .38 caliber revolver which fired the lethal bullet, the slug taken from Oswald's body and dramatic newspaper photographs of the shooting.

Leavelle said Ruby's hand was "still contracting on the gun as though he was trying to fire another shot" as officers overpowered him.

Testimony began Wednesday morning after Judge Joe B. Brown returned to the bench and warned spectators he would not tolerate any outbursts.

Judge J. Frank Wilson had substituted for Judge Brown Tuesday after he went to bed with a cold.

Judge Brown mopped his face with a handkerchief as he perspired freely during the afternoon session in the humid courtroom. A doctor waited to check his condition and to give him an injection during a recess.

As the first witnesses took the stand, defense lawyers lost another round in their attempt to disqualify jurors who had seen television scenes of the shooting.

The State Supreme Court, meanwhile, refused for the second time to rule the jurors disqualified.

Ruby Kept Track, Jury Told

Prosecutors presented testimony that Ruby kept track of police plans to move Oswald from City Hall to the county jail. It was during this transfer that Ruby stepped forward and pulled the trigger.

Wade also offered testimony from which jurors could draw inferences if they desired.

The district attorney showed that Ruby was in The Dallas Morning News Building when President Kennedy was assassinated and that the Texas School Book Depository Building, where the assassin crouched, was visible from offices in The News Building.

Other testimony showed that Ruby supplied the correct name for the "Fair Play for Cuba Committee" when Wade could not recall it during a press conference which Ruby attended after the assassination.

There was no testimony, however, to show that Ruby saw the assassination or had any connection with the "Fair Play for Cuba Committee."

Ruby, who pleaded "not guilty" in a low voice before testimony began, hunched forward and kept his eyes fixed on witnesses as they told about his activities.

Temporary Insanity Claimed

Defense lawyers Melvin Belli, Joe Tonahill and Phil Burleson claim Ruby was temporarily insane when he pulled the trigger and, as a result, is innocent of murder under Texas law.

They tried to get a separate sanity hearing, but Judge Brown ruled they had filed their request too late.

As they cross-examined prosecution witnesses, Belli and Tonahill sought testimony which would support the insanity plea.

Garnett Claude Hallmark, general manager of a parking firm, conceded he has "wondered sometimes about Jack's sanity." He balked, however, at saying he regarded Ruby as insane.

The highlight of the day came as it neared an end. Leavelle described the death of Oswald in stark detail as spectators in the crowded, closely guarded courtroom leaned forward to hear his words.

They recalled the husky detective as "the officer in the white

hat" who wore a startled expression on his face in newspaper and television pictures of the slaying.

Leavelle told how his left arm was handcuffed to Oswald's right wrist as they walked toward a waiting car.

"What, if anything, unusual happened?" Assistant Dist. Atty. Alexander asked.

"A man came from the crowd . . ." Leavelle related. "I saw he had a pistol in his right hand and was raising it up. I tried to catch the man's shoulders and did succeed in getting him by the left shoulder . . ."

"He took two quick steps, then fired. Oswald grunted, said 'Oh,' and slumped to the floor . . . I was watching the gun. The right hand was contracting as though he was trying to fire another shot."

Leavelle said it was after Oswald slumped to the floor, pulling him down also, that he heard Ruby refer to the Marxist as a "Son of a bitch."

Belli suggested Leavelle might have been mistaken about what he heard as a result of the noise and confusion.

Belli, who claims that Ruby carried a pistol to protect his money showed during his cross-examination of the detective that the slayer's pockets contained \$2,015.33 when he was searched after shooting Oswald.

John Rutledge, a Dallas News police reporter who said he regarded Ruby as "mean," told how Ruby appeared at police headquarters as officers questioned Oswald there the night of Nov. 22.

Ruby's Actions Described

Rutledge said he felt Ruby had "no business" there. The reporter said Ruby answered questions of out-of-state reporters and "appeared to enjoy being there."

While Rutledge was on the stand, Wade objected heatedly to Belli and Ruby referring to him as a friend of the striptease-club manager.

"I never saw him until that night (Nov. 22)," Wade protested.

In other testimony:

Wittmark said Ruby made a phone call to a television reporter

about 2:50 p.m. Nov. 23 and indicated he had information about plans for transferring Oswald.

Ray Brantley, owner of a hardware and sporting goods store, said he sold Ruby the pistol in 1960. (While Ruby sat with his eyes riveted on the weapon, Brantley pulled the trigger more than a half dozen times to show how the pistol worked.)

Doyle Lane, a Western Union supervisor, said Ruby appeared "cool, calm and collected" when he wired \$25 to a Fort Worth stripper less than five minutes before he shot Oswald.

Dr. Earl Rose, county medical examiner, said Oswald died from a gunshot wound in the abdomen.

Question Termed Improper

Replying to Alexander's questions, Brantley said he sent a pistol to Las Vegas at Ruby's request last summer. Judge Brown termed the question improper and ordered the answer erased from the record.

Five Dallas News employees and three policemen took the stand during the morning session.

Donald J. Campbell, 46, a display advertising salesman for The Dallas News, was the lead-off witness. He said he had talked with Ruby on the second floor of The News Building in the minutes just preceding President Kennedy's shooting.

Campbell said he left the building—and Ruby—about 12:25 p.m. that Nov. 22. He said he noted nothing peculiar about Ruby's behavior.

Q.—Was Jack Ruby calm and collected?

A.—He was just Jack Ruby as I knew him.

Q.—And that was a pretty volatile individual, wasn't it?

A.—Yes.

John Newnam, another Dallas News advertising salesman and the man who ordinarily handled Ruby's "copy" for his small night-club ads, said he came back to his desk about 12:40 and found Ruby at his desk working on the ad.

Ad Salesman Questioned

This was a few moments before word came that the president had been shot.

Q.—Was there anything unusual about his behavior?

A—Nothing unusual, I would say, any more than anyone else.

Q—You were all stunned and grieved?

A—Yes, sir.

Newnam said, "I couldn't believe it. I'm sure Jack felt the same way."

Q—He was overcome?

A—He was not overcome, but was upset.

Q—Did Jack call you to the phone and ask you to listen to his sister Eva crying?

A—Yes, he did.

Q—Did he change his ad?

A—I don't know personally that he did, I heard he had it changed later to say his clubs were closed.

Newnam said he didn't recall if Ruby cried when he heard about Kennedy being shot. The following witness, Miss Georgia Mayor, a Dallas News secretary, said Ruby didn't cry, but once "his eyes were fixed and he was staring at the wall." She said Ruby stared toward Promotion Director Richard P. Jeffrey's office, where Newnam said Ruby and he watched early developments on Jeffrey's television set.

Windows Face Slaying Scene

The windows in Jeffrey's office face the scene of the assassination. The prosecution displayed photographs taken from Jeffrey's office that included the Texas School Book Depository building.

Belli asked Miss Mayor: "Have you ever seen people in a state of epilepsy when they had a fixed, staring expression?"

She said, "No."

Q—Was he moving a part of his body when he had this fixed, staring expression?

A—No.

Q—Was he pallid, or had his color changed at all?

A—No.

Q—It was something rather remarkable, wasn't it?

A—Yes sir.

William Glen Duncan Jr., a radio station KLIF newscaster, told how Ruby (at the City Hall) had called Wade to the telephone for an interview just minutes after Oswald had been formally charged Friday night. He said Ruby lugged a sack of sandwiches and some

cold drinks to the radio station sometime after 1:30 a.m. Saturday, an hour or so after being "right in front of Oswald" at a City Hall press conference.

City Homicide Detective R. M. Sims said Ruby had called him at about 10:30 p.m. the day of the assassination with an offer to bring sandwiches for the policemen also.

"I told him that as far as I knew, everybody had eaten," Sims recalled.

Oswald in Homicide Offices

The prosecution pointed out that Oswald was in the homicide offices at that time.

Sims was asked if he knew Ruby had several dogs and called one of them his wife.

Q—Do you know anybody else that does that?

A—Not a man, no.

Lt. P. B. Leonard told of Ruby being in the police station assembly room shortly after midnight Friday for a Wade press conference.

"He said, 'I'm a reporter tonight' and held up a notebook," Leonard said.

Traffic policeman D. V. Harkness said he was at the county courthouse about 4 p.m. Saturday, the day after the Kennedy murder, when a crowd gathered anticipating the transfer of Oswald from the city jail.

Q—Was Jack Ruby in that crowd?

A—Yes sir.

The defense asked: "A murmuring, threatening crowd? A mumbling crowd?"

Sims replied, "No sir, an orderly crowd."

Wes Wise, KRLD newscaster, said Ruby tapped on his mobile news unit window Saturday afternoon to say hello and to tell him that Police Chief Jesse Curry and Homicide Capt. Will Fritz were looking around the depository site.

Wise said Ruby had tears in his eyes when he told about seeing two western saddles at the Dallas Trade Mart, two undelivered gifts intended for Caroline and John Kennedy Jr.

"He didn't break down and cry," Wise said, "but tears definitely came to his eyes and he appeared deeply touched."

Brown Begins Cracking Whip Upon Return to Ruby Trial

Dist. Judge Joe B. Brown returned to the Jack Ruby murder trial Wednesday after a 1-day absence and, following the example set by his substitute, started cracking the whip.

Judge Brown said he has been "rather tolerant" in conducting the trial. But, he said, he intends to maintain strict decorum throughout testimony and closing arguments.

The black-robed jurist cut short talkative defense lawyers when they attempted to make lengthy statements.

Speaking more brusquely than usual, Judge Brown told chief defense lawyer Melvin Belli, "We've gone into all that, counsel. Let's go on with the business at hand."

JUDGE J. FRANK WILSON

Tuesday after Judge Brown went to bed with "an awfully bad cold." Judge Wilson, a gruff-voiced former congressman, promptly told defense lawyers he didn't intend to put up with any temper tantrums or verbal outbursts.

Judge Brown returned to court Wednesday, telling reporters, "I feel pretty good today."

Out-of-state reporters, who had commented favorably on Judge Wilson's sternness, noticed a change in Judge Brown's attitude as soon as he resumed the bench.

Wasting no time, Judge Brown promptly rejected a batch of defense pleas.

Once and for all, he rejected a defense plea that he transfer the trial to another county.

Defense attorneys claimed they couldn't get a fair jury in Dallas County. But Dist. Atty. Henry Wade, who had commented earlier that "the proof was in the pudding," noted the jury box was filled with eight men and four women. Each had sworn he or she could give Ruby a fair trial.

THEN JUDGE BROWN rejected defense pleas that he:

—Disqualify the two women accepted as the final jurors Tuesday.

—Let Ruby's two sisters, Mrs. Eva Grant of Dallas and Mrs. Eileen Kamisky of Chicago, and a defense psychiatrist, Dr. Manfred Guttmacher of Baltimore, remain in the courtroom throughout the trial instead of waiting outside with other witnesses.

—Grant Ruby a separate sanity hearing.

—End the trial immediately because most courtroom seats had been reserved for the press. (Defense attorney Joe Tonahill argued unsuccessfully that this violated the constitutional guarantee of a public trial.)

Defense lawyers contended that Judge Brown should let Dr. Guttmacher stay in the courtroom so he could observe the 55-year-old Ruby and hear testimony about his actions.

Judge Brown said curtly, "No doctors will be excused (from the ruling requiring witnesses to wait outside)."

DEFENSE LAWYERS took the position they could insist upon a pretrial sanity hearing any time before Ruby entered a plea to the murder indictment against him. Judge Brown believed, apparently, that they waited too late before requesting it.

"Your request is overruled," Judge Brown said curtly.

The judge also had a word for reporters and spectators in the heavily guarded courtroom.

"There will be no talking, no gesturing, no rush for the door at any time, no demonstrations of any kind," he said. "I have been rather tolerant. But, with the jury complete and in the box, we're going to tighten up."

Attention Turns Briefly to Ruby

Jack Ruby, a man who has always loved the spotlight, got a chance Wednesday to stand briefly in its glare.

Ruby had gone almost unnoticed during selection of the jury which must decide whether he is guilty of murder because he shot Lee Harvey Oswald.

Opposing lawyers had commanded attention with their verbal outbursts and shouting matches.

Ruby's opportunity came seconds before testimony began.

Judge Joe B. Brown turned to the balding, 52-year-old manager of a downtown striptease club and said, "Mr. Ruby, will you stand up, please?"

DRESSED IN a neat blue suit, Ruby arose at his counsel table. He appeared pale from his confinement in county jail. Melvin Belli, the chief defense lawyer, stood beside him.

Judge Brown turned to Dist. Atty. Henry Wade.

"Mr. Wade, will you arraign the defendant?" Judge Brown asked.

Wade walked to the defense table and, standing two feet away, faced Ruby.

The district attorney started reading the indictment returned Nov. 26, four days after the presidential assassination and two days after the Oswald slaying.

"The State of Texas vs. Jack Rubenstein, alias Jack Ruby . . .," Wade began.

Belli interrupted to say, "He answers to the name of Jack Ruby."

Wade resumed reading the indictment:

" . . . Did unlawfully, voluntarily and with malice aforethought kill Lee Harvey Oswald by shooting him with a gun."

WADE FAULTERED. Somewhat flustered, he told Judge Brown, "I can't make out the signature of the grand jury foreman."

Judge Brown glanced at the indictment.

"Durwood Sutton," the judge said.

Then Judge Brown turned to Ruby again.

"Mr. Ruby, what is your plea to that indictment?"

Ruby bowed slightly at the waist and, in a low voice, answered, "Not guilty."

BELLI SAID HE wanted the record to show that Ruby and his lawyers were entering a double-barreled plea—not guilty and not guilty by reason of temporary insanity.

"This court is interested only in whether his plea is guilty or not guilty," Judge Brown snapped.

Ruby sat down.

Western Union Figures Spur Ruby Trial Debate

Four numerals on a Western Union form provided a major issue in the Jack Ruby murder trial Wednesday.

The numerals — 11:17 — appear on the form along with the date Nov. 24.

Attorneys introduced it as evidence before the jury which must decide whether Ruby committed murder when he shot Lee Harvey Oswald in the City Hall basement.

Doyle Lane, a Western Union supervisor, said he stamped the form with an automatic timing device when Ruby wired \$25 to Karen Lynn Bennett. She stripped in Ruby's downtown nightclub under the name "Little Lynn."

Lane testified this meant Ruby was in the downtown Western Union office at 11:17 a.m. Nov. 24—about four minutes before he shot Oswald in the City Hall basement.

Ruby could have been in the office as late as one second before 11:18 a.m., Lane added, explaining that the timing device changes its numerals each minute.

The shooting took place about 11:21 a.m. Homicide Detective J. R. Lea-

velle said he measured the distance from the Western Union office to a ramp leading into the City Hall basement. It was 339 feet.

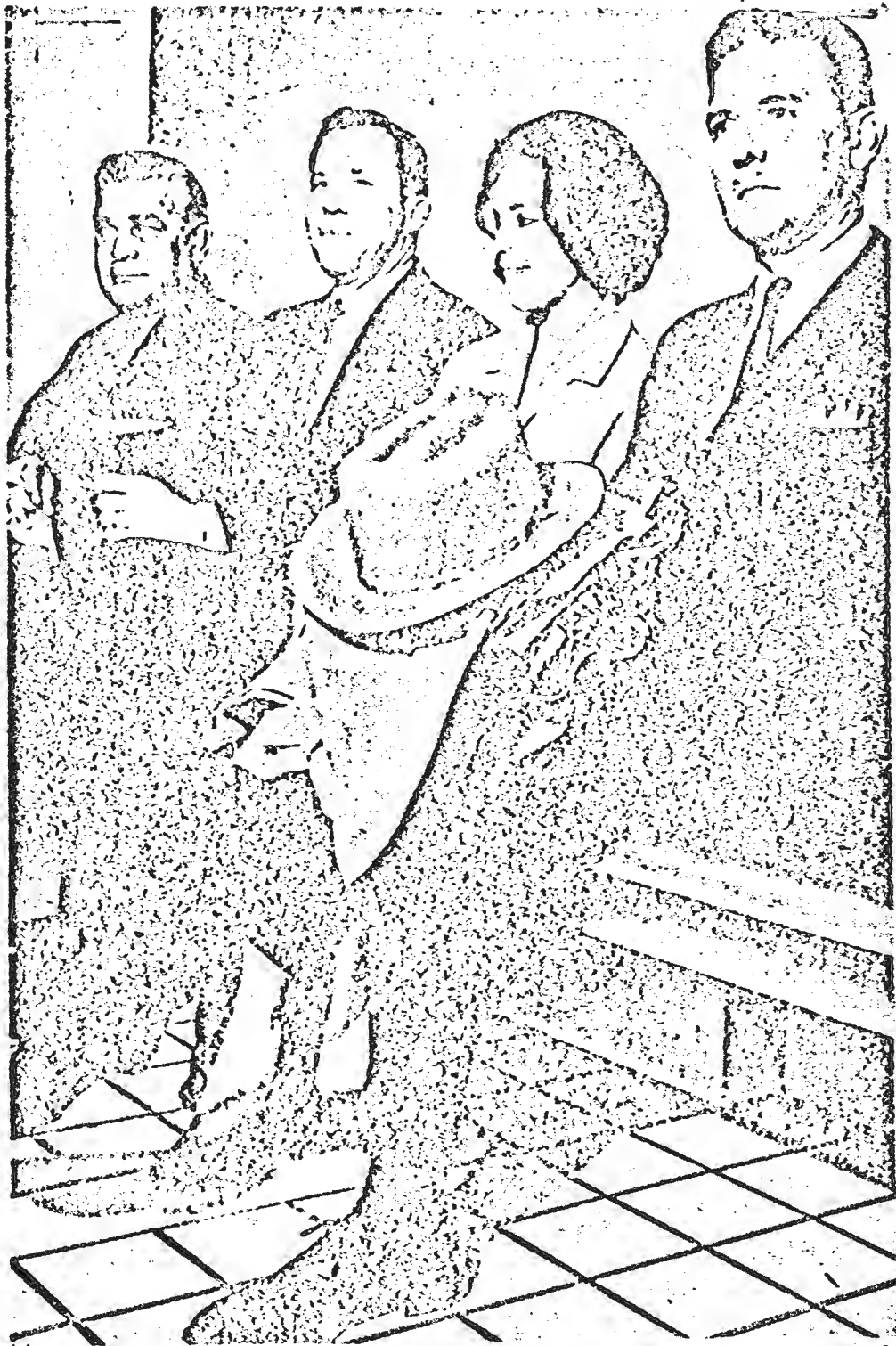
Prosecutors and defense lawyers differed immediately over significance of the testimony.

Dist. Atty. Henry Wade's assistants noted Lane testified Ruby appeared "cool, calm and outwardly collected" when he wired the money to the Fort Worth stripper. They said this would contradict the defense contention that he was in a state of "complete emotional collapse" as a result of the assassination of President Kennedy.

Defense lawyers said the testimony supported their contention that Ruby's mind "snapped" as he walked near the City Hall. Had he been planning to shoot Oswald, they argued, Ruby would have remained near the City Hall instead of going to the Western Union office.

The lawyers, Melvin Belli and Joe Tonahill, noted that Oswald could have left the City Hall, en route to the county jail, before Ruby reached the basement.

6



—Dallas News Staff Photo by Bill Windrey.

Four Dallas News employes, Don Campbell, Bill Rea, Georgia Mayor and John Newnam, from left, sit out-

side Judge Joe B. Brown's court Wednesday awaiting call as witnesses in the murder trial of Jack Ruby.

Ruby Rivals Differ Over Finger Used

The defense and the prosecution couldn't get together on what finger Jack Ruby used Nov. 24 to kill Lee Harvey Oswald as he fired a lone shot into the accused assassin.

Defense Atty. Melvin Belli holds that Ruby — in a fugued (mental blackout) state emanating from psychomotor epilepsy — pulled the trigger with the middle or second finger.

The prosecution holds that there is no evidence of this — that what might look like a finger along the edge of the Colt Cobra .38 was actually Oswald's flesh.

One of the closest men to the shooting, police officer J. R. Leavelle, said on the stand that he could not say for sure.

Leavelle was handcuffed to Oswald.

"I've even examined that picture with a magnifying glass and I just couldn't actually say," Leavelle told Assistant Dist. Atty. Bill Alexander.

Belli, holding the .38, asked Leavelle in cross-examination if he didn't assume it was the second finger.

"It could have been," Leavelle said, "I told you I didn't know for sure."

★ JUDGE DASHES COLD WATER

A defense lawyer suggested Wednesday that jurors take notes during testimony in the Jack Ruby murder trial.

To make sure they were able to do so, attorney Melvin Belli announced he was ready to supply them with pencils and notebooks.

Judge Joe B. Brown threw cold water on the whole idea, telling them it "out of order."

State laws provide that jurors shall have testimony read to them by the official court reporter if doubts arise during deliberations, but they shall not depend on notes made by individual jurors.

Witness Sees Ruby As 'Mean'

Jack Ruby heard a prosecution witness at his murder trial Wednesday describes him as "mean."

The description came from John Rutledge, police reporter for The Dallas News.

Rutledge said he also regarded Ruby, the balding manager of a downtown strip club, as "a loud-mouthed extrovert who wanted to get up there in the middle of things."

Rutledge said he couldn't recall seeing Ruby before the night of Nov. 22. The reporter said he based his descriptions upon various statements he had heard about Ruby during 12 years as a police reporter here.

Defense lawyer Melvin Belli tried to get Rutledge to say that police officials regarded Ruby as "sort of a village character." The reporter said that wasn't true.

Then Belli asked if Rutledge believed Ruby unstable.

"By unstable, do you mean 'mean'?" Rutledge asked. "All right, we'll use the word 'mean'," Belli replied.

"Yes, I considered him mean," Rutledge told the lawyer.

8

ON THE LINE:

Whose Couch Will Fit Jury?

By BOB CONSIDINE

DALLAS: In the end it will all come down to which psychiatrist the jury believed.

That's how the Ruby case looks as it nears its most difficult phase. As one prospective (and rejected) juror said the other day, "Everybody in the world knows Jack Ruby killed Lee Oswald." The case will turn on whether Ruby knew what he was doing when he pulled the trigger. He pulled it with his middle finger, the defense will point out, and try to make something of that oddity.



CONSIDINE

One set of headshrinkers, the state's, will say he was in full possession of his senses. The defense's professors will hold to their earlier diagnoses that he was battler than an abandoned belfry when the shot rang out. Each group will take great abuse under the respective cross-examinations. Some of the most distinguished figures in American psychiatry, psychology and psycho-analysis will hear themselves characterized as mail-order snake-oil purveyors.

Whose couch fits this jury best? Melvin Belli protested after the 12th and final juror was picked that you can hardly tell one of these persons from another. But, in the end, they may prove as distinct and different as their fingerprints.

Somewhat there doesn't appear to be much implied "togetherness" among three engineers, a lady secretary, a vice president of a small chemical company, an airplane mechanic, a tissue paper salesman, a bookkeeper, a mailman, a furniture salesman, a lady who has been with the local phone company for 37 years and a lady accountant with 30 years' experience with an oil company.

* * * NO FIGURES are available as to the cost of obtaining the jury in the

Ruby case. The state spent about \$4,000 during the first two weeks and two days needed to fill the jury box. Most of it went into \$5 per head payment for waiting panelmen and \$5 per head for selected jurors, plus \$3 a day for their meals. A figure of about \$10,000 might cover the state's expenses for the period.

The defense is light-lipped about what it is spending. The tone of its standard of living is set by Melvin Belli, a millionaire, who sees no reason why he should not live like one. His suite in the Statler Hilton has been on an open house basis for some weeks, including the period of bail bond and venue change hearings. It is expensive digs. The house he wants to rent for the duration of the trial belongs to Mickey Mantle. It will be more expensive than the hotel.

The brain croakers that the trial is bringing to Dallas don't come at bargain rates, even in the interests of psychomotor epilepsy. Belli did not build the Belli Building in San Francisco, nor Joe Tonahill the building that bears his name in Jasper, Texas, by retaining their A.A.U. cards.

A guess: The defense will spend five times as much as the state in this case.

* * *

THE MONEY that Ruby and his brother made out of the defendant's syndicated articles, which detailed his movements from the time of the assassination of JFK until after the shooting of Oswald, came in handy.

But the articles also may loom heavily over Ruby's head. Either he or his ghost writer displayed total recall in the course of creating the epic. He even remembered what he had ordered when, in a fit of deep grief, he splurged at a delicatessen counter. One would think it will make more difficult his defense—which is that he remembers everything except the split second of the trigger-pulling.

NOT RECORDED

128 MAR 15 1964

Tolson ☒
Belmont ☒
Mohr ☒
Casper ☒
Callahan ☒
Conrad ☒
DeLoach ☒
Evans ☒
Gale ☒
Rosen ☒
Sullivan ☒
Tavel ☒
Trotter ☒
Tele Room ☒
Holmes ☒
Gandy ☒

The Washington Post and Times Herald _____
The Washington Daily News _____
The Evening Star _____
New York Herald Tribune _____
New York Journal-American 1-1 _____
New York Mirror _____
New York Daily News _____
New York Post _____
The New York Times _____
The Worker _____
The New Leader _____
The Wall Street Journal _____
The National Observer _____
People's World _____
Date _____

MAR 5 1964

(Mount Clipping in Space Below)

4 WOMEN, 8 MEN**12 Ruby Jurors Represent
Cross Section of County**

There are no doctors, lawyers or Indian chiefs in their midst, but the 12 jurors picked to hear the Jack Ruby murder trial represent a good cross-section of Dallas County residents.

Four are women, eight are men. The two oldest are 55, the youngest is 27.

Only two of the jurors are childless. Most of them are Baptists.

Ten of the 12 are Texas natives. All have been or are married and all 12 work for a living.

In a capsule, here are the 12 in the order they were chosen:

1. Max E. Causey, 35, of Garland. Married, with two sons, 5 and 8. A former Air Force pilot, he was born in Caddo Mills. Has a master's degree in education from East Texas State College. His wife has a physical education degree from the same school. About 6 feet tall, he has reddish-sandy hair, is an avid hunter-fisherman and attends the First Baptist Church. He is a military electronics analyst for Ling-Temco-Vought, Inc.

2. Allen W. McCoy, 40, of Irving. Married, with two daughters, 9 and 6. Born in Edly and raised in San Antonio. Has an engineering degree from Texas A&M. Slim, solemn-looking, called "a good steady worker" by fellow employees at Fritz W. Glitsch & Son, a steel fabricating plant. He owns part of a coin-operated laundry. Has dark brown, slightly graying hair, and is a Baptist.

3. Mrs. Mildred McCallum, 40, of Garland, mother of four boys and two girls, aged 10 to 20. She works as a bookkeeper-secretary for the Alabama Construction Co. Does not wear makeup, because she is a member of the Assembly of God Church. Could have been excused because of children, but chose to serve, with 15-year-old Patricia handling the housekeeping chores. Oldest son, James, is student at Texas A&M. Her husband, Drexel, is a machinist.

4. Luther E. Dickerson, 27, of Mesquite. Wife calls him Gene. Has two sons, 7 and 3. Handles purchasing and is vice-president of Fritz Chemical Co., a firm that makes tile. Took some educational courses beyond high school while in armed forces. Slim, crew cut. He is Baptist.

5. Douglas J. Sowell, 34, of Dallas. Married 11 years, has son 6 and daughter, 9. A jet mechanic for Braniff International Airways. Earned his high school diploma in the armed services. Native of San Augustine. Church affiliation: Church of Christ.

6. Robert J. Fletcher, 29, of Richardson. Married, with two children, 8 and 3. Slim, dapper man who had to leave his job as a Clampitt Paper Co. salesman his first day at the firm to report for jury duty. A native of Dallas. High school graduate and a Christian Scientist.

(Indicate page, name of newspaper, city and state.)

12 "The Dallas
Morning News"
Dallas, Texas

Date: 3-4-64
Edition:
Author:
Editor: Jack B. Krueger
Title:

Character:
or
Classification:
Submitting Office: Dallas

57 MAR 24 1964

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NOT RECORDED
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7. Mrs. Gwen English, 45, of Dallas. Husband is a diesel electrician for Santa Fe railroad. No children. Both husband and wife born and raised in Cleburne. In Dallas more than 10 years. She works for Bodcaw Oil Co. as a bookkeeper. A Baptist.

8. J. G. Holton Jr., 31, of Grand Prairie. Married, with three children, 6, 4, and 1. A deeply tanned man, he has been a walking mailman for eight years. He also is a reserve policeman at Grand Prairie and an ardent fisherman. Attended Arlington State College one year. He is a Church of Christ member. The Holtons attend a Baptist church.

9. James E. Cunningham, 34, of Richardson. Married, with two sons, 6 and 3. Attended University of Texas and earned engineering degree. Seven years in Air Force. Raised in Cleveland, Ohio, and Morristown, N.J. Came to Dallas area four years ago. An Episcopalian, he is an electronics engineer for Texas Instruments, Inc.

10. J. Waymon Rose, 41, of Dallas. Three children, 13, 10 and 5. A tall, slim former Tennessean who came to Dallas 15 years ago. A former Navy pilot, he travels a 4-state area as a representative for four furniture manufacturers. University of Chattanooga graduate. The Roses attend a Presbyterian church.

11. Mrs. Aileen B. Shields, 58, of Dallas. Divorced since 1954, she

has no children. Has almost 37 years service for Southwestern Bell Telephone Co. in the engineering department. Lives with her invalid mother and a 52-year-old niece, Mrs. Tom Johnson. Born in Celeste. Is a Methodist.

12. Mrs. Louise Malone, 58, of Dallas, a widow with one married daughter in Dallas. Is an accountant for American Liberty Oil Co. She is a Baptist. Has held her job for about 30 years. Served on a robbery jury last week.



Mrs. Aileen B. Shields, at left, and Mrs. Louise Malone were selected Tuesday as the eleventh and twelfth jurors to hear the Jack Ruby trial.

(Mount Clipping in Space Below)

Tough New Trial Boss Sits in Saddle

By SID MOODY

AP Newsfeatures Writer

The trial of Jack Ruby finally got into the corral Tuesday with a tough new trail boss in the saddle.

He was 62-year-old Judge J. Frank Wilson, a gravel-voiced former congressman who made it plain the moment he took the bench Tuesday morning as a substitute for ailing Judge Joe B. Brown that his word was going to be law.

It was.

When he told lawyers to sit down, they sat.

When he urged them to "get along," a favorite phrase of Judge Brown's, they got.

And so, after 14 days and 162 prospective jurors, they finally got a jury to try Ruby, the strip-tease impresario, for the murder of Lee Harvey Oswald, President John F. Kennedy's accused assassin.

Wilson took over from Brown when the latter's doctor advised him to take to his bed because of a cold. For Wilson, it was homecoming day as he had loaned Judge Brown his own courtroom because it can seat more people. Judge Wilson said Brown would return as soon as he is able.

One of Wilson's first acts was to stem the sometimes interminable questioning and objecting of Melvin Belli, Ruby's defense counsel. Belli wanted the trial suspended until Brown's return.

"I get your point. There's no belaboring the issue," Wilson said. Belli rolled on.

"That's enough. Take your seat," growled the judge.

"Could I ask . . ." Belli began but never finished.

"Take your seat. When the court says to take your seat, it means take your seat!" said Wilson ominously. Belli sat.

Judge Brown fined Belli's col-

league, Joe Tarrant, \$25 for throwing a pencil to the floor in anger Monday.

"Judge Wilson would have made it \$100," said a deputy outside the courtroom. He's that kind of no-nonsense man.

He once declared a mistrial in a murder case because of radio and television coverage of the jury selection.

J. Frank Wilson almost didn't make it to Dallas. He had planned to return to his home town of Memphis, Texas, after graduation from Baylor Law School in 1923.

"I changed my mind on the train and decided to come to Dallas instead." His father staked him to \$300. "I decided I would sink or swim on the \$300. I bought a desk and three chairs, paid three months room rent at the YMCA and bought enough meal tickets to last three months. That left me about \$25. Business was not too good."

Wilson was about to pack up and head back for Memphis when his first client turned up. He's been here ever since.

He was unanimously elected president of the Dallas Bar Association in 1943 and was county Democratic chairman from 1942-44.

Wilson decided to run for Congress in 1946 and won after a primary victory over Judge Sarah T. Hughes, the woman who

swore in Lyndon Johnson as President after Kennedy's murder.

He served in Congress until 1955 when he voluntarily stepped down and was appointed to the criminal bench in Dallas. As a congressman, he was strongly conservative, opposing an anti-lynching law, federal aid to education and a Fair Employment Practices Commission.

He and his wife have a married daughter and several grandchildren. Their son, Frank Jr., was killed in a hunting accident on Christmas Day, 1941.

Wilson is 6-foot-2 and has a small gray moustache that people once said made him look like the late Clark Gable. But when his deep voice begins to rumble and the lines of his weathered, massive face grow taut, there's only one thing to recognize in Judge Wilson—determination.

(Indicate page, name of newspaper, city and state.)

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or

Classification:

Submitting Office:

Dallas

TOP CLIPPING

MAR 4 1964

FILE AND INITIAL

57 MAR 24 1964

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MAR 24 1964



—Dallas News Staff Photo.

**Judge J. Frank Wilson . . . substitutes for
ailing Judge Joe B. Brown.**

JUDGE BACK ON BENCH, BUT HE'S ONLY 'ACTING'

Dist. Judge J. Frank Wilson found himself in familiar surroundings, but in an unusual legal situation, as he presided over the Jack Ruby murder trial Tuesday.

Judge Wilson, who normally presides over Criminal District Court, agreed three weeks ago to "loan" his larger courtroom to Judge Joe B. Brown of Criminal District Court No. 3 for the Ruby trial.

When Judge Brown became ill Tuesday, Judge Wilson agreed to substitute for him.

This put Judge Wilson back on his regular bench. But he was there as "acting judge of Criminal District Court No. 3" instead of judge of Criminal District Court.

Judge Wilson Demands Respect for the Court

By HUGH AYNESWORTH

There will be no circus in the courtroom where J. Frank Wilson presides.

Judge Wilson took over Tuesday for ailing Judge Joe B. Brown to wind up jury selection for the Jack Ruby murder trial.

In past weeks, attorneys have argued at length, reporters have almost stampeded out of the courtroom, attorneys have held lengthy press conferences during breaks and spectators have talked incessantly.

The atmosphere changed Tuesday.

Judge Wilson let it be known in short order that he felt the dignity of the court should come first.

Judge Wilson said he would not tolerate unruly action in the courtroom. Another time he said, "I'm not asking the crowd to respect me, but the court is due respect and I represent the court and the State of Texas."

Judge Wilson sent a spectator

to jail in 1959 for cheering when a not-guilty verdict was handed down in a rape trial.

The spectator spent three days in jail and paid a \$100 fine.

"We're happy to have spectators in the court as long as they behave. If they are allowed to take over, we might as well close the courthouse and try the case under the nearest tree," Judge Wilson said.

"If we allowed all this," he said, "we'd soon have a 3-ring circus on our hands, and the courtroom would be nothing more than a joke."

About three years ago, Judge Wilson, speaking to a state judges' meeting in Galveston, said judges should be given the sentencing function instead of juries in Texas.

He is no soft touch for criminal lawyers either.

"Many times those lawyers who practice criminal law get the idea that the law should be

written, the court decisions be made with the main idea in mind that they make a good fee and win a case," Wilson said in 1960.

But when dealing with "sadistic, moronic criminals of the type we have today, the rights of society are of equal importance to the rights of an individual as regards a fair trial," he said.

"Bleeding hearts should keep that in mind when they demand — and obtain — repeated new trials on legal technicalities," he said.

Ruby's chief counsel, Melvin Belli, didn't like Wilson appearing on the scene.

"We may appeal if he (Judge Wilson) takes over," said Belli at noon Tuesday. Belli said he felt "more comfortable" in Brown's court, "because I consider myself a friend of Judge Brown and he understands the case."

Change of Judges Raises Question of Who'll Preside

Will Judge J. Frank Wilson preside over the Jack Ruby murder trial until it ends?

That was the big question Tuesday after Judge Wilson substituted for ailing Judge Joe Brown.

Judge Wilson said he expects to serve "only a day or two."

But reporters, who read the court order assigning Judge Wilson to the case, noted it gives him the legal right to preside until the trial ends.

A statement by Dist. Atty. Henry Wade increased speculation that Judge Wilson will replace Judge Brown permanently as presiding jurist for the long trial.

WADE SAID he could not recall any case in which a judge returned to a case after leaving it.

Judge Brown left his office Tuesday morning after he broke into a cold sweat. The courtroom had been hot and humid Monday, and the jurist had said

at that time that he didn't feel "too perky."

A doctor prescribed medicine and ordered Judge Brown to stay in bed.

"I've got an awfully bad cold," Judge Brown said.

Since the 55-year-old jurist has a history of heart trouble, it was considered unlikely his physician would want him to return to the courtroom until he has fully recovered.

DIST. JUDGE Dallas A. Blankenship, presiding jurist for the First Administrative Judicial District, assigned Judge Wilson to the Ruby trial.

Judge Blankenship's order states that Judge Wilson shall serve as acting judge of Judge Brown's Criminal District Court No. 3, effective Tuesday, "for the disposition of such matters as may come before him and terminating when such matters have been concluded."

This would let Judge Wilson serve indefinitely.

Judge Wilson said, however, that he intends to leave the bench "just as soon as Judge Brown is able to return . . . in a day or two, I hope."

Since he is only substituting temporarily, Judge Wilson said, he does not intend to take any action at this time on renewed defense requests that the court transfer the trial to another county.

THE MONDAY session of the trial was especially trying for Judge Brown. It was marked by temper tantrums and loud exchanges between lawyers.

Although he fined a defense lawyer \$25 for contempt, some television commentators criticized Judge Brown for failing to maintain better order. Judge Wilson cracked down as soon as he took over Tuesday, warning lawyers that he would not tolerate outbursts.

Defense attorneys Melvin Belli and Joe Tonahill protested the change in judges. They said that, while they "have nothing personal" against Judge Wilson, they feel he cannot properly preside over the Ruby trial.

SINCE HE HAD NOT been in the courtroom, they argued, Judge Wilson lacked the knowledge needed to properly pass on their continued requests for additional peremptory challenges and for a transfer of the trial to another county. Judge Wilson rejected their arguments.

Wade said a state law provides for a substitution when a judge dies or becomes ill during a trial.

Judge Wilson 'Lays Down Law' To Attorneys for Jack Ruby

Judge J. Frank Wilson "laid down the law" to defense attorneys in the Jack Ruby murder trial Tuesday.

After he substituted for ailing Judge Joe B. Brown as presiding jurist in the Ruby trial, Judge Wilson bluntly informed defense lawyers Melvin Belli and Joe Tonahill that he would not tolerate temper tantrums or heated arguments.

The gruff-voiced former congressman also told them they would risk a jail sentence or fine for contempt if they insulted prospective jurors.

MINUTES LATER, when Belli began making a lengthy objection, Judge Wilson snapped, "That's enough. Take your seat."

The California lawyer, who has never been at a loss for words, kept talking.

"Take your seat, Mr. Belli," Judge Wilson repeated. "When the court says to you to take your seat, it means take your seat. Now sit down."

Belli sat down.

Judge Wilson cut short another lengthy objection with a curt comment.

"I get your point, Mr. Belli," the judge told the defense lawyer. "You can get it into the record. I want it there. But you don't have to keep repeating it. There's no use belaboring the issue."

IT DIDN'T TAKE Belli long to realize that the black-robed, distinguished-looking jurist meant what he said. There was a noticeable lack of outbursts such as had disrupted previous sessions of the trial.

Judge Wilson said he intended

to see that only jurors with open minds passed judgment on Ruby. They must decide whether the balding manager of a downtown striptease club is guilty of murder because he shot Lee Harvey Oswald.

"I wouldn't require any defendant of any race, creed or color to accept an unfair juror," the judge said.

But, Judge Wilson said, he intended to protect prospective jurors against insulting remarks.

"I don't want any insinuations cast against any juror," he said. "Each juror will be treated with respect by both sides."

JUDGE WILSON did not elaborate, but he may have referred to defense inferences that some prospective jurors lied during questioning. Belli and Tonahill have challenged potential jurors to take lie detector tests.

Judge Wilson also rejected a renewed defense request that he hold Maurice A. Melford, national director of the National Epilepsy League, in contempt because he distributed pamphlets outside the courtroom. The pamphlets attacked the defense claim that Ruby shot Oswald while in an epileptic seizure.

"The court will stop anyone from passing out literature in the courtroom," Judge Wilson commented. "We cannot stop them outside the building. This is a free country and we have the right of free speech. The lawyers in this case have certainly exercised that right."

This was considered a reference to the numerous press conferences which attorneys have conducted in the courtroom and nearby corridors during trial recesses.—CARL FREUND.

NEW WITNESS LIST

Wade Indicates Strategy Change

Dist. Atty. Henry Wade indicated Tuesday that prosecutors will change courtroom strategy for the Jack Ruby murder trial.

Wade's assistants said last week they planned to call Homicide Detective J. R. Leavelle as the first witness in their attempt to send Ruby to the electric chair. Leavelle was "the officer in the white hat" handcuffed to Lee Harvey Oswald when Ruby shot him.

Wade said Tuesday, however, that they may shuffle their witness list.

"We're not sure who will take the stand first," the district attorney said. "We'll have conferences into the night to decide the order in which we'll call witnesses."

Wade said also that prosecutors will suggest a motive which led Ruby to shoot Oswald two days after Oswald was accused of murdering President Kennedy and Officer J. D. Tippit.

Assistant Dist. Atty. William F. Alexander said during an earlier hearing that Ruby pulled the trigger "in the mistaken belief it would bring him fame and fortune."

When asked if prosecutors still believe this was the reason, Wade replied:

"I'm not going to comment on that. I'll let you hear our motive in the courtroom."

Wade said he "wouldn't be surprised" if Ruby fakes an emotional breakdown in the courtroom.

"You can take pills to produce such things," the district attorney added.

After Wade offers testimony that Ruby shot Oswald, the defense will get a chance to try to convince jurors that Ruby was temporarily insane. His lawyers say his condition has "deteriorated steadily" since officers unpowered him after the slaying.

★ HERE'S FINAL JURY COUNT

Dist. Atty. Henry Wade said Tuesday that lawyers did not set a Dallas County record in choosing the jury for the Jack Ruby murder trial, even though they questioned 162 prospective jurors over a 2-week period.

"I've been in other cases in which we questioned larger numbers before completing the jury," Wade said. "Incidentally, the higher courts upheld convictions in those cases."

This is what happened to the 162:

Accepted	12
Challenged by defense....	18
Challenged by prosecution..	11
Against death penalty....	52
Fixed opinions.....	58
Excused for illness.....	1

Judge Cracks Down; Ruby Jury Now Full

By CARL FREUND

Attorneys completed the jury for the Jack Ruby murder trial Tuesday after a cigar-smoking former congressman, who took over as acting judge, warned them he wouldn't put up with any courtroom foolishness.

Judge J. Frank Wilson who agreed to preside after Judge Joe B. Brown became ill, said testimony would start at 9 a.m. Wednesday.

Prosecution and defense lawyers accepted Mrs. Louise Ma-

Related news on Page 12.

lone of 4432 San Carlos as the 12th—and final—juror at 2:20 p.m.

SELECTION OF the 53-year-old widow, an oil company accountant, ended a quest which started two weeks ago. Lawyers questioned 162 prospective jurors while choosing the 8 men and 4 women who must decide whether Ruby is guilty of murder.

In other developments Tuesday:

—Judge Brown, who said he went to bed because of "an awfully bad cold," told reporters he plans to preside over the trial again Wednesday. But there was speculation that Judge Wilson would remain on

the bench, despite defense objections, until the trial ends.

—Defense lawyers said they plan to put Ruby on the stand.

—Dist. Atty. Henry Wade said he plans to show the jury pictures made by television and newspaper photographers who

were aiming their cameras at Lee Harvey Oswald when Ruby shot him in the City Hall basement Nov. 24.

ATTORNEYS ACCEPTED

Mrs. Aileen B. Shields of 5706 Kenwood, an employee of Southwestern Bell Telephone Co. for 37 years, as the 11th juror during the morning.

Asked if she believed in the death penalty, the 55-year-old divorcee replied, "I do, I do."

Defense attorneys Melvin Belli and Joe Tonahill wanted to reject Mrs. Shields, but were forced to accept her after Judge Wilson ruled she was qualified to serve on the jury.

THE DEFENSE lawyers had used the 18 peremptory challenges granted them by Judge Brown, and Judge Wilson refused to grant additional challenges.

(Peremptory challenges allow lawyers to reject prospective jurors without giving any reason. Normally, each side gets 15 in a murder trial, but Judge Brown gave Ruby's lawyers 3 additional challenges.)

Ruby appeared worried as he sat in the courtroom. He winced when one prospective juror, who was disqualified, told lawyers, "I think he should get the maximum."

Wade will try to convince the jury that Ruby appointed himself an executioner and then shot Oswald while he was manacled to a detective. Oswald died two days after his arrest as the No. 1 suspect in the assassination of President Kennedy.

Defense lawyers claim Ruby "backed out" as the result of an epileptic seizure and didn't know what he was doing when he pulled the trigger. As a result, they contend, he is innocent of a murder.

JUDGE WILSON said he expects to stay on the bench "only a day or two," but the order assigning him to the case would let him serve until its end if the need arises.

The former congressman wasted no time in letting lawyers know that he would not tolerate temper tantrums or verbal outbursts.

He also agreed with Judge Brown that prospective jurors were not disqualified because they saw television pictures of the shooting.

Like eight previously accepted jurors, Mrs. Shields and Mrs. Malone testified they had seen telecasts of the slaying. But, each said, this would not affect their verdict.

Tolson ☒
 Belmont ☒
 Mohr ☒
 Casper ☒
 Callahan ☒
 Conrad ☒
 DeLoach ☒
 Evans ☒
 Gale ☒
 Rosen ☒
 Sullivan ☒
 Tavel ☒
 Trotter ☒
 Tele Room ☒
 Holmes ☒
 Gandy ☒

Ruby Pleads Not Guilty, First Witness Testifies

DALLAS, Mar. 4 (AP).—Jack Ruby entered a formal plea of not guilty today to the murder of Lee Harvey Oswald, accused assassin of President Kennedy.

The jury of eight men and four women entered the courtroom as a unit for the first time at 10:49 a.m. (EST).

District Attorney Henry M. Wade, facing the 52-year-old defendant, then read the indictment charging that Ruby did "with malice aforethought kill Lee Harvey Oswald by shooting him with a gun."

The indictment was dated November 26, two days after Oswald was shot and four days after President Kennedy was assassinated in Dallas.

"Mr. Ruby, how do you plead to the indictment?" asked Judge Joe B. Brown, who returned to the bench today after a one-day absence because of illness.

"Not guilty," Ruby answered in a low voice.

The Defense then told Judge Brown that the defendant also was pleading innocent by reason of insanity.

About 30 State's witnesses then were sworn in after Judge Brown denied defense motions that would have delayed the start of the trial.

The defense moved again for a change of venue, a mistrial, for more peremptory challenges before the jury was sworn in, and for a mistrial on the grounds that a public relations firm allocated the seats in the courtroom mostly to reporters rather than the general public.

The Judge then swore in the State's witnesses.

The State's first witness was

Don Campbell, 46, an advertising salesman for the Dallas Morning News.

Mr. Campbell said he and Ruby were talking about an advertisement for Ruby's two night clubs up until about 10 minutes before the president was killed on November 22.

Under cross-examination by Chief Defense Counsel Melvin M. Belli, Mr. Campbell said he left Ruby in the office and that so far as he knew Ruby did not see the assassination.

Previously, Assistant District Attorney Bill Alexander asked: "Did you notice anything unusual or peculiar about Ruby's behavior at that time?"

Mr. Campbell said he had known Ruby about four years. In answer to one of Mr. Belli's questions, Mr. Campbell said that as to Ruby's manner during that conversation, "He was the Jack Ruby that I knew."

"He was a volatile individual?" Mr. Belli asked. Mr. Campbell agreed.

Under redirect examination, Mr. Alexander asked about his description of Ruby as "volatile." Mr. Campbell replied, "Well, not wholly."

The Washington Post and Times Herald _____
 The Washington Daily News _____
 The Evening Star A-3 FINAL
 New York Herald Tribune _____
 New York Journal-American _____
 New York Mirror _____
 New York Daily News _____
 New York Post _____
 The New York Times _____
 The Worker _____
 The New Leader _____
 The Wall Street Journal _____
 The National Observer _____
 People's World _____
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THE VOICE OF BROADWAY

Belli Planning a Bombshell at Ruby Trial

By DOROTHY KILGALLEN

Jottings in Pencil

SPECTATORS AND PRESS at the Jack Ruby trial in Dallas may expect forensic fireworks when the State offers medical testimony to prove the corpus delicti. Melvin Belli and Joe Tonahill, co-counsel for the defendant, will attempt to show that Lee Harvey Oswald did not die as a result of the single bullet pumped into him by Ruby, but because of "bungled" surgery during which he allegedly suffered a fatal embolism . . . Helen Hayes, First Lady of the Theatre, is in the mood to change her mind about starring in "The White House," the play about a series of First Ladies. The producers are said to be busily seeking a replacement so that the show can open on schedule this Spring. —with Julie Harris being mentioned as the most



likely choice. Originally, the Helen Hayes premiere (for a charity) was to have been graced by ex-President and Mrs. Eisenhower, ex-President and Mrs. Truman, and possibly Jacqueline Kennedy.

Joe Campanella, who was Judy Holliday's leading man in "Hot Spot," will waltz down the aisle in May with singer Jill Bartholomew . . . Danny Kaye and Gwen Verdon are conferring about teaming for a one-man one-woman show this Summer . . . Members of the "Funny Girl" cast are taking shots since costume designer Irene Sharaff came down with hepatitis . . . Mitzi Gaynor has received a personal invitation from President Johnson to headline the May 26 rally in Washington, which will officially kick off his campaign for re-election.



★ THE NEWS FROM TORONTO: Elizabeth Taylor was presented with a birthday cake by the "Hamlet" cast, the pastry lovingly inscribed "Happy Birthday, Mascot and Don Mother." In appropriate fashion, Liz cut the cake expertly with Richard Burton's "Hamlet" sword . . . An important musical heading for Broadway is having serious money problems. In polite terms, it's "under-financed" . . . Stuart Ostrow, producer-director of the Meredith Willson

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Callahan _____
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DeLoach _____
Evans _____
Gale _____
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Tavel _____
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Tele Room _____
Holmes _____
Gandy _____

M. J. J.

N.H.L.

The Washington Post and Times Herald _____
The Washington Daily News _____
The Evening Star _____
New York Herald Tribune _____
New York Journal-American *13* _____
New York Mirror _____
New York Daily News _____
New York Post _____
The New York Times _____
The Worker _____
The New Leader _____
The Wall Street Journal _____
The National Observer _____
People's World _____
Daily _____

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show "Here's Love," turned down an offer to produce and direct "Zenda" for Broadway.

Willie Mays may be making news outside the sports sections in the near future. A national bus outfit has been huddling with the "Say Hey Kid" about heading a network of "sports clinics" for young America, come next Autumn . . . Lois DeFoe, the Amazonian star of one of the 1939-1940 World's Fair exhibits, is recuperating at her home in North Miami after her recent hospital ordeal. She's now 30 pounds—and several thousands of dollars—lighter.



FROM THIS COLUMN of Jan. 17: "If Melvin Belli, attorney for Jack Ruby, can't get a change of venue, he'll rent a home in Dallas for the duration of the trial."

From a New York morning paper, datelined Dallas, Feb. 28 (Special): "Jack Ruby's chief defense lawyer, Melvin Belli, said today he will rent a house here for the duration of Ruby's murder trial."

So what's so special?



GREENWICH VILLAGE remains typically Village. A movie house there is playing "Beat the Devil," but its

marquee doesn't bill Humphrey Bogart, Gina Lollobrigida or any of the actors. It merely reads "Truman Capote" . . . If Bing Crosby does the projected half hour TV series next season, it's a good bet that Kathy Grant (Mrs. Bing) will make frequent guest appearances . . . Ingrid Bergman's entrance at the Regency dining room for lunch indicated extra-sensory perception on her part. She strolled in looking lovely in a chic beige suit—the perfect costume to wear against the beige, brown and gold decor. Ingrid and husband Lars Schmidt expect to be in New York for two weeks, then they'll head for California for a brief visit. . .

An undercover revolt is brewing among the performers who belong to the Actors' Studio. They feel that the Strasbergs, and other brass, are involved with too much "commercial stuff" and too little that is experimental, also that they're hiring actors outside the Studio rather than their own disciples . . . Joe Levine, who was blessed with five Oscar nominations for Federico Fellini's "8½," just closed a long-distance deal to release the next Fellini masterpiece. No word on the title; it won't have one until the director finishes it and decides what it's all about.

Ruby Trial Gets New Judge; 11th Juror Seated, One to Go

DALLAS, Mar. 3 (AP).—A substitute judge, J. Frank Wilson, began presiding over the murder trial of Jack Ruby today after a long argument from the bench with Ruby's chief defense counsel, Melvin Belli.

Soon afterward, the 11th juror was accepted by the court. She is Mrs. Aileen B. Shields, a divorcee, employed by the local telephone company in the engineering department.

Mr. Belli protested on several technical grounds against Judge Wilson's sitting on the bench for Judge Joe B. Brown, who was sent home today with a cold by his doctor.

Mr. Belli pointed out that he has a continuing motion to transfer the trial away from Dallas. He said this is "cumulative with each juror" and that Judge Wilson could not possibly have knowledge of all that has gone in to the record in the trial which is now in the third week.

Judge Takes Charge

At the same time, Mr. Belli argued, while Judge Brown is absent "he cannot act on material presented in his absence." Several times Judge Wilson, a tall, big-bodied Texan, broke in on Mr. Belli.

"That's enough, take your seat," the judge said at one point.

"Could I ask . . ." Mr. Belli began.

"Take your seat," the judge repeated. "When the court says to you to take your seat, it means take your seat."

Mr. Belli sat down.

When Mr. Belli raised the question of additional peremptory challenges, by which attorneys can discharge prospective jurors without stating a reason, Judge Wilson said he would consider that question when it arises.

"I wouldn't require any defendant of any race, creed or

color to accept an unfair juror," he said.

Other Judge Refused

District Attorney Henry M. Wade rose and said, "Judge Brown refused him any more challenges." Mr. Belli then said he was formally objecting "to your honor sitting in this case," and to Judge Wilson's assuming discretion about granting any more peremptory challenges.

Ruby is on trial for slaying Lee Harvey Oswald, accused assassin of President Kennedy.

The defense has exhausted its allotted 15 peremptories. Judge Brown granted three extras, which also are exhausted, and he said yesterday that he would follow Mr. Belli no more.

Mr. Belli also raised the question of the persons who brought literature about epileptics to the court yesterday. He said, "I ask your honor to hold them in contempt."

Judge Wilson replied, "The court will enjoin anyone from passing out literature in this courtroom."

Judge Once in Congress

Judge Wilson is a former United States Representative. He was elected a district judge in 1943 and left the bench when

elected to Congress in 1946. He retired from Congress in 1955, resumed private law practice and returned to the bench in 1955.

Mr. Wade told reporters earlier that, under Texas law, a judge can be replaced by another without a mistrial. But Mr. Wade said there has been no precedent in Texas for a judge leaving a case and then returning to it.

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Trotter _____
Tele Room _____
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The Washington Post and Times Herald _____
The Washington Daily News _____
The Evening Star _____
New York Herald Tribune _____
New York Journal-American _____
New York Mirror _____
New York Daily News _____
New York Post _____
The New York Times _____
The Worker _____
The New Leader _____
The Wall Street Journal _____
The National Observer _____
People's World _____
Date _____

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Tantrums Disrupt Ruby Murder Trial

By CARL FREUND

Temper tantrums and hot arguments disrupted the Jack Ruby murder trial Monday.

Attorneys spent much of the day exchanging insults in the hot, humid courtroom. It ended with the lawyers still short two jurors.

Judge Joe B. Brown ordered them to return to Criminal District Court No. 3 at 9 a.m. Tuesday for another attempt to pick the 11th and 12th jurors.

They will join eight men and two women in deciding whether Ruby committed murder when he shot Lee Harvey Oswald two days after Oswald's arrest as the prime suspect in the assassination of President Kennedy.

As the temperature climbed near the 90-degree mark in the steamy courtroom these developments took place:

—Judge Brown fined Joe Tona-hill, a defense attorney, \$25 for contempt of court after the lawyer hurled a pencil to the floor in a fit of anger.

—Defense lawyers used their 18th—and last—peremptory challenge. As a result, they must accept a prospective juror if Judge Brown rules him qualified. (The defense normally gets 15 challenges in a murder trial, but Judge Brown allowed Ruby's lawyers 3 more.)

—Defense lawyers protested long and loud after learning that Maurice A. Melford, national director of the National Epilepsy League, had distributed pamphlets outside the courtroom. The pamphlets criticized defense lawyers for contending that Ruby was in an epileptic seizure when he shot Oswald.

Judge Brown rejected a defense request that he halt the trial, noting the prospective jurors had not seen the pamphlets.

—Dist. Atty. Henry Wade and his assistant, A. D. Jim Bowie, described the defense lawyers as publicity seekers who "try to put on a show before each television deadline."

—Bowie declared it was "highly improper" for a defense psychiatrist to conduct press conferences "right here at the courtroom door."

One outburst flared as Judge Brown announced an afternoon recess. With the judge still on the bench, Belli and Bowie tried to shout each other.

While both talked at the tops of their voices, Judge Brown walked out of the courtroom.

Minutes later, while the lawyers and Judge Brown conferred in his chambers, reporters in a corridor heard Belli refer to Wade as "white-livered."

Judge Brown kept repeating, "Hush, Joe. Hush."

Judge Brown threatened to hold Belli in contempt after the defense lawyer accused Wade of "insulting" Negroes called for jury service. Judge Brown, who apparently felt the accusation was baseless, told Belli sternly, "Sit down, Mr. Belli, and don't get in contempt."

Melford apologized for distributing the pamphlets near the courtroom and said he would not do so again.

Attorneys have questioned 149 prospective jurors since the trial began Feb. 17. Observers predict they will finally complete the jury Tuesday afternoon or Wednesday morning, clearing the way for testimony.

(Indicate page, name of newspaper, city and state.)

6 "The Dallas
Morning News"
Dallas, Texas

Date: 3-3-64
Edition:
Author:
Editor:
Title: Jack B. Krueger

Character:
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Classification:
Submitting Office: Dallas

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Defense Denounces Ruby Lawyer Leaflet Distributor Fined \$25 In Contempt

Maurice A. Melford, national director of National Epilepsy League, Inc., Monday was called "un-American, subversive, a no-good citizen and a disgrace to trial by jury" by Joe Tonahill, one of Jack Ruby's lawyers, as Melford passed out literature about epilepsy in the county courthouse.

Melford said he passed out the literature "to help preserve the true image of the disease and to keep some 1,800,000 Americans who are epileptics from suffering unjustly."

Tonahill and his colleague Melvin Belli complained that Melford's material was "prejudicing the press, the jurors and everybody else" against Ruby.

The literature said psychomotor epilepsy could not have been a factor in Ruby's Nov. 24 killing of Lee Harvey Oswald in the City Hall basement.

It said:

"You don't have to worry too much about a patient in a psychomotor seizure. You will read in novels and see in the movies all kinds of dramatizations, speed-up stories about what psychomotor epileptics do — murders, criminal activities, etc. That is nonsense. A large sample of the prison population of Massachusetts was studied and not one epileptic was found."

This excerpt, taken from the book, "A Modern View of Epilepsy" by Frederic A. Gibbs, University of Illinois School of Medicine, particularly bothered Belli.

It was Gibbs, who on the invitation of Dr. Martin Towler, a member of the staff at John Sealy Hospital in Galveston, concurred with Towler that Ruby was a victim of psychomotor epilepsy.

Gibbs determined so from studying the controversial "brain wave" tests made on Ruby several weeks ago.

"Few illnesses are so misunderstood," said Melford. "The league feels that the way this subject is treated during the Ruby trial will establish the kind of legal, social and economic climate in which epileptics will have to live for years to come."

"They are coming in here under the guise of well-meaning people," shouted Belli, "and passing out this stuff—the grossest type of contempt."

"Why, they even handed them to the prospective jurors sitting outside there," Belli snapped.

"This is trying to influence justice in the temple," Tonahill added.

Belli brought up the charges a few seconds after Judge Joe Brown had called a recess—the second straight trial day that the Californian began his oratory to the benefit of none except the press and spectators.

Judge Brown finally agreed to gather the principals in his office, and Melford was served with a subpoena. Tonahill tried to get him on the stand as the jury selection reconvened, but Brown overruled the motion.

Brown told Melford:

"You have a right to put out anything you want to. My only contention is that you should not do it in this courthouse." Melford said he was returning to Chicago.

As the new juror was called in, Tonahill asked:

"Were you given an envelope out there?"

Mrs. Myrtle Lane, 2408 Dyson, replied, "No, I never saw one of those until right now."

Belli demanded that Brown rule a mistrial.

"We ask a mistrial all down the line," he said. "How in hell can we get a fair trial in Dallas?"

Judge Brown, as in the past, weathered the storm and calmed all parties down as jury selection began—still looking for the elusive final two members.

Joe Tonahill, threatened on several occasions for his fiery oratory as defense counsel in the Jack Ruby murder trial proceedings, was held in contempt of court Monday and fined \$25.

He paid his fine with a \$100 bill a few minutes later.

Tonahill roared up out of his seat as Assistant Dist. Atty. A. D. Jim Bowie was protesting a question put to George E. Staton, a potential juror. As Tonahill straightened up, he slammed his pencil down on his work pad and onto the floor.

"I must hold you in contempt," said Judge Joe B. Brown quietly.

Melvin Belli, chief defense counsel, pleaded with Brown to dismiss the contempt charge, as the judge did once before on Tonahill. "It would bother him tremendously," Belli said, speaking of his counsel.

"Mr. Belli, the court cannot overlook it. I'm sorry," said Brown.

During recess, Belli took out his wallet, found an American Express card and waved it in the air. "Here, Joe," he said, "tell the judge you want to charge it."

About 11 a.m. the defense used its 15th—and last—peremptory challenge to dismiss Staton.

Tonahill asked Judge Brown if he would allow them 25 more. Judge Brown, who gave the Ruby lawyers 3 more than the law requires, said, "No."

"Just one?" wheedled Tonahill.

"No," Brown said.

RUBY WITNESS WRITES

Temporary Insanity Exists Only as Plea

A Baltimore psychiatrist who will testify as a defense witness in the Jack Ruby murder trial has written that temporary insanity exists "only in the courtroom."

The psychiatrist, Dr. Manfred Guttmacher, made the statement in a book he wrote.

Dr. Guttmacher, court psychiatrist for the Superior Bench in Baltimore, commented:

"A supposed form of disorder, frequently encountered in the courtroom, though not elsewhere, is temporary insanity."

The psychiatrist wrote also that "temporary insanity" exists only in the minds of lawyers seeking a defense for a client.

Assistant Dist. Attys. A. D. Jim Bowie and Frank Watts said they will have the right to question Dr. Guttmacher when they cross-examine him after defense lawyers put him on the stand.

The lawyers claim Ruby was temporarily insane when he shot Lee Harvey Oswald before net-

work television cameras after Oswald's arrest as the No. 1 suspect in the assassination of President Kennedy.

Dr. Guttmacher apparently expects prosecutors to question him at length about his writings.

When he arrived at Dallas Love Field, the psychiatrist was carrying his book, "Psychiatry and the Law."

"They hold you responsible for anything you've written," he said.

This led reporters to read Dr. Guttmacher's comments about temporary insanity.

Dr. Guttmacher emphasizes in his writings that epilepsy and other mental disorders can cause flare-ups of violence in which a man commits irrational acts.

He contends the mental condition, itself, cannot develop suddenly and then go away minutes later. Therefore, he says, there is no such thing as temporary insanity.

Dr. Guttmacher is expected to testify that this view does not actually contradict the position taken by Ruby's lawyers. They say a seizure of psychomotor epilepsy led Ruby to black out and shoot Oswald while acting like a robot, unaware of what he was doing.

Dr. Guttmacher told reporters that psychomotor epilepsy is not the condition which laymen normally associate with epilepsy.

"Psychomotor epilepsy indicates that both the activities of the thinking and the motor centers are affected," he said.

Dr. Guttmacher said he wanted to study electroencephalograms and observe Ruby further before saying whether the 52-year-old suffers from psychomotor epilepsy or other organic brain damage.

"He has personality disturbances associated with psychomotor epilepsy, but he didn't have an attack while I was examining him," the psychiatrist said.

Defense Lawyers Breathing Easier

The courtroom was hot, but that was not the only reason defense lawyers sweated during the Jack Ruby murder trial Monday.

They found themselves forced into a corner and, for a time, it appeared they would be forced to accept a juror who had voted for the death penalty in another headline-making murder trial here.

It happened while L. N. Floyd of 4814 Manett, a salesman called as a prospective juror, was on the stand.

Defense lawyers Melvin Belli and Joe Tonahill asked Floyd the standard questions.

Then the lawyers asked casually whether Floyd had ever served on a jury before.

Yes, he said, he had—on the jury which sentenced Carl Junior Hackathorn to the electric chair. That jury imposed the death penalty after it convicted Hackathorn of murdering Mrs. Bobbie Jewel Nuttycombe Smith, an 18-year-old housewife who was shot

to death while her young daughter watched.

Belli and Tonahill found themselves with their backs to the wall.

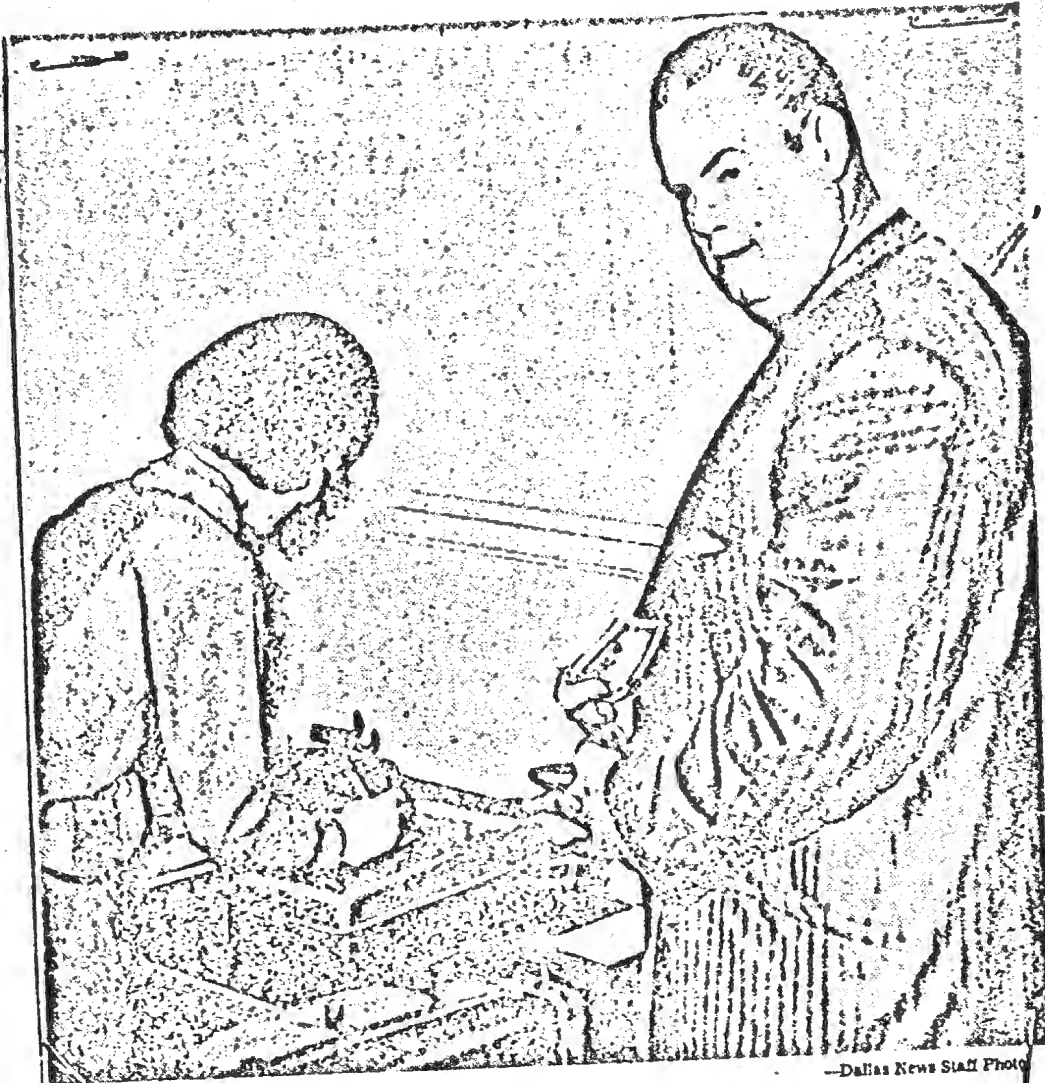
They obviously did not want Floyd on the Ruby jury. But they had used all 18 peremptory challenges allowed them by Judge Joe B. Brown and, as a result, could not reject Floyd without giving a reason.

They could keep him off the jury only if they convinced Judge Brown that he was disqualified because of a fixed opinion or opposition to the death penalty.

Dist. Atty. Henry Wade insisted Floyd was qualified to judge whether Ruby committed murder when he shot Lee Harvey Oswald. But, after the prospective juror said his service in the Hackathorn case might affect his verdict in the Ruby trial, Judge Brown disqualified him.

The defense lawyers breathed easier.

3



—Dallas News Staff Photo

Joe Tonahill pays fine to court clerk Jeannette Hooker.

Contempt Fine Livens Drama of Ruby Trial

By Arthur Everett

DALLAS, March 2 (AP) — Efforts to select the last two jurors in Jack Ruby's murder trial failed today amid wild disputes in and out of the courtroom. A defense lawyer was fined \$25 for contempt and a mistrial motion was denied.

Court was adjourned at 5:44 p.m. until 10 a.m. Tuesday.

The mistrial motion was made by the defense because of literature distributed outside the courtroom which denied that psychomotor epilepsy could be a factor in Ruby's shooting Nov. 24 of Lee Harvey Oswald, accused assassin of President Kennedy.

This defense of temporary insanity resulting from psychomotor epilepsy is at the heart of Ruby's defense against the charge.

Ruby's chief defense attorney, Melvin Belli, made the unsuccessful demand for a mistrial in the chambers of Judge Joe E. Brown.

The literature was distributed in the courthouse by a National Epilepsy League official.

Belli was enraged at a portion of the literature which said:

"You don't have to worry too much about a patient in a psychomotor seizure. You will read in novels and see in the movies all kinds of dramatizations, spiced-up stories about what psychomotor epileptics do: murders, criminal activities, etc. That is nonsense."

Distributing what was called a "fact sheet" was Maurice A. Melford, Chicago, national director of the League.

After hearing Belli's motion for a mistrial, Judge Brown told Melford that he had "a right to put out anything you want to. My only contention is that you should not do it in this courthouse."

Melford apologized and agreed to go elsewhere but said he had informed the district attorney's office in advance that he was coming here to contact the press. This particularly angered Belli.

The defense immediately subpoenaed Melford as a witness.

As tempers grew thin, defense lawyer Joe H. Tonahill was fined \$25 for contempt after he hurled his pencil to the courtroom floor in a rage.

Belli was seeking to elicit from a prospective juror, George E. Staton, that he held an opinion against Ruby, operator of a Dallas strip tease joint.

Asst. Dist. Atty. A. D. Jim Bowie started to say something about Belli's "tricky and illegal questions."

That brought Belli's defense assistant, Joe Tonahill, roaring to his feet and he threw his pencil to the floor.

"I must hold you in contempt," Judge Brown quietly told Tonahill. . . . "It will cost you \$25."

In the end, the defense used its 18th and last peremptory challenge to excuse Staton. The defense had exhausted its original 15 peremptory challenges, plus three additional ones granted it by Judge Brown. The judge refused to grant more.

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The Washington Post and Times Herald A3
The Washington Daily News _____
The Evening Star _____
New York Herald Tribune _____
New York Journal-American _____
New York Mirror _____
New York Daily News _____
New York Post _____
The New York Times _____
The Worker _____
The New Leader _____
The Wall Street Journal _____
The National Observer _____
Date 3-3-64

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NOT RECORDED
128 MAR 9 1964



United Press International

Joe H. Tonahill, an assistant defense attorney for Jack Ruby, is shown in the Dallas courthouse as he paid a \$25 contempt of court fine yesterday. Tonahill paid with a \$100 bill. He is married to the daughter of U.S. Rep. Howard W. Smith (D-Va.), chairman of the House Rules Committee.

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UPI-53

(RUBY)

DALLAS--JUDGE JOE P. BROWN HELD DEFENSE LAWYER JOE H. TONAHILL IN CONTEMPT OF COURT FOR AN OUTBURST OF TEMPER TODAY AS THE SEARCH FOR A JURY TO HEAR JACK RUBY'S MURDER TRIAL NEARED AN END.

HE WAS FINED \$25.

TONAHILL, A 6-FOOT-4, 245-POUND LAWYER FROM JASPER, TEX., HURLED A PENCIL TO THE FLOOR AND THE JUDGE RULED THAT CONTEMPT. ONLY TWO JURORS REMAINED TO BE SELECTED.

CHIEF DEFENSE ATTORNEY MELVIN BELLI OF SAN FRANCISCO ASKED THE JUDGE TO RECONSIDER.

"I'M GOING TO HOLD HIM IN CONTEMPT, MR. BELLI," THE JUDGE SAID.

TONAHILL APOLOGIZED. BUT THE JUDGE MADE HIS RULING STICK.

DURING QUESTIONING OF GEORGE E. STATION, A PAPER SALESMAN, THE PROSECUTION OBJECTED TO BELLI'S QUESTIONS ABOUT WHETHER STATION HAD AN OPINION OF RUBY'S GUILT.

BELLI EXPLODED:

"ARE WE GOING TO HAVE THE SAME HOGWASH THAT WE'VE HAD FOR THE LAST TWO WEEKS?"

TONAHILL JOINED IN WITH A SHOUT AND HURLED HIS PENCIL TO THE FLOOR WITH A CLATTER.

BROWN SUSTAINED THE PROSECUTION OBJECTION WHILE HOLDING TONAHILL IN CONTEMPT.

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 122 MAR 6 1964

MAR 9 1964

WASHINGTON CAPITAL NEWS SERVICE

(Mount Clipping in Space Below)

Psychiatrist Arrives for Ruby's Trial

By KENT BIFFLE

Dr. Manfred Guttmacher, first in a series of psychiatric experts expected to testify in the Jack Ruby trial, arrived in Dallas Sunday night.

Dr. Guttmacher, court psychiatrist for the Superior Bench in Baltimore, Md., told reporters at Dallas Love Field that Ruby has "personality disturbances associated with psychomotor epilepsy."

The psychiatrist would not say if he definitely believes Ruby suffers from that condition. "He didn't have an attack while I was examining him."

The defense has hinted that an attempt will be made to prove that Ruby suffered brain damage due to illness or injury. Dr. Guttmacher would not comment other than to say, "I want to study the brain wave tracings."

He said psychomotor epilepsy is not what people normally think of an epilepsy.

"Psychomotor epilepsy involves activities of the thinking centers as well as the motor centers," he said.

A tall gray man, Dr. Guttmacher was carrying two heavy

books when he stepped from an American Airlines jet flight from Washington.

One book was Dr. Karl Menninger's "The Vital Balance." The other was Dr. Guttmacher's own "Psychiatry and the Law."

He said, "They hold you responsible for anything you've written."

Expected to arrive in Dallas in the next day or two are Dr. Roy Schafer, Yale University psychologist, and Dr. Walter Bromberg, clinical director of Pinewood Psychiatric Hospital in New York.

Both tested Ruby prior to his bond hearing last year.

Melvin Belli, Ruby's chief counsel, says his client's condition has worsened.

Belli said Sunday that he will ask for additional peremptory challenges Monday for use in striking prospective jurors that do not meet his approval.

Judge Joe B. Brown of Criminal District Court No. 3 has already granted the defense three challenges in addition to the normal 15. Defense lawyers have used all but one, however.

Proceedings begin at 9 a.m. Monday with the probability that a complete panel of 12 jurors will be found before the middle of the week. Ten jurors had been accepted by the close of proceedings Saturday.

Defense attorneys talked with Ruby in his jail cell Sunday. They spent the weekend mapping out the case they will offer in an attempt to prove that Ruby was insane when he gunned down Lee Oswald, accused assassin of President Kennedy, in the Dallas police station.

Dr. Guttmacher said he wanted to resume examining Ruby either before proceedings begin Monday or after court adjourns.

(Indicate page, name of newspaper, city and state.)

1 "The Dallas
Morning News"
Dallas, Texas

Date: 3-2-64
Edition:
Author:
Editor:
Title: Jack B. Krueger

Character:
or
Classification:
Submitting Office: Dallas

57 MAR 24 1964

44-24016-17
NOT RECORDED
128 MAR 24 1964

The Case Against Ruby to Rest on His Own Words

By BOB CONSIDINE

Hearst Headline Service Special to N. Y. Journal-American
DALLAS, March 2.—Some time early this week, after the last two jurors in the Jack Ruby trial are chosen, Dallas Police Capt. Glen King will take the stand and swear that in the melee that followed the shooting of Lee Oswald he heard Ruby say:

"You don't think I was going to let him get away with it, did you?"

On that utterance, the state will build and rest its case against the pale and jittery strip-joint operator whose single shot sealed the lips of the young Marxist who soon will be officially designated as the assassin of President Kennedy.

BLACKOUT IS KEY

It will be the burden of the Ruby defense witnesses, chiefly medical men, to convince the jury that while many things Ruby did and said that day indicate malice and premeditation, the man blacked out during the split second of the actual shooting.

The jury has the right to hand down any one of an assortment of penalties, ranging from a two-year suspended sentence to death in the electric chair.

District Attorney Henry Wade, who has won death verdicts in 23 of the past 24 murder cases, predicts that the jury box will be completed late today or early tomorrow. Judge Joe B. Brown will order the actual trial to get under way immediately after the final two jurors are qualified.

Mr. Wade has seven peremptory challenges left. The defense has only one.

It is certain to use it, so as to be able to note in any future appeal to a higher court that it exhausted all of its peremptories in an "unsuccessful" effort to find a fair jury in the city where the murder took place.

MAN IN WHITE HAT

Mr. Wade does not expect to use more than two days presenting his case.

His first witness will be Detective J. R. Leavelle, "the man in the white hat" who won international notice in the Graphic Television Broadcast of the murder and in photographs taken of it. He was on Oswald's right as Ruby lunged from his left side and fired. Detective Leavelle's black eyes are bright with horror in the pictures.

He will identify Ruby as the murderer, and will provide the "malice and premeditation."

Dr. Manfred Guttmacher, Baltimore psychiatrist, arrived in Dallas last night, at the request of Chief defense attorney Melvin Belli, to give Ruby a check-up. It is Mr. Belli's contention that the 32-year-old defendant is going to pieces.

Dr. Guttmacher will remain in Dallas to testify that his earlier studies of Ruby and tests of his brain indicate there is enough brain damage present to have produced a blackout at the time of the murder.

The remainder of Ruby's medical witnesses will arrive in Dallas early in the week, headed by Walter Bromberg, Katonah, N. Y., psychiatrist, for years attached to the Court of General Sessions in New York.

STATE SAYS HE'S SANE

The state has its own battery of experts in the same field. It is led by Dr. John Holbrook, and will unite in declaring that Ruby is sane now and was at the time of the shooting.

The 10 jurors already selected—eight men, two women, all white, all Protestant—were

put on their honor yesterday. Judge Brown granted their request for a television set.

It was rolled into the "club room" of the jury's grim dormitory on the eighth floor of the Criminal Courts Building. They agreed to shut off the set whenever a news program came on the screen, so as not to see or hear anything about the case.

The ten were walked to a nearby Dallas hotel for lunch and permitted to stroll about the neighboring square.

All speculation that the state would call Mrs. Marina Oswald as a witness ended yesterday when Mr. Wade scotched the report. According to the report the widow of Oswald was to testify only that he was—indeed—dead.

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Tele Room ☐
Holmes ☐
Gandy ☐

The Washington Post and Times Herald _____
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New York Mirror _____
New York Daily News _____
New York Post _____
The New York Times _____
The Worker _____
The New Leader _____
The Wall Street Journal _____
The National Observer _____
People's World _____
Date _____

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128 MAR 6 1964

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TOTAL STANDS AT 10

2-Hour Bid to Fill Ruby Jury Fails

By HUGH AYNESWORTH

Judge Joe B. Brown held court for two hours Saturday morning. But seven prospective jurors failed to fill the bill as the 11th and 12th jurors needed to try Jack Ruby for the Nov. 24 slaying of Lee Harvey Oswald.

The day began with the hope that the final two jurors could be found. However, attorneys for both sides bogged down into a full session that found the defense using its 17th—and next-to-last—peremptory challenge.

FIVE OTHER prospective jurors were dismissed by the court for having "set" opinions as to Ruby's guilt or innocence, and another opposed the death penalty.

It was hoped that testimony would begin Monday morning, but following the Saturday session attorneys were predicting it might be Wednesday morning before a 12-citizen body would be ready to hear the facts of the case.

Chief defense counsel Melvin Belli caused the only fireworks of the session as he delivered a 9-minute oratory, in the midst of which Judge Brown called a recess.

BELLI KEPT ON TALKING and Brown nonchalantly strolled off the bench.

Belli had sought to introduce several Dallas and Fort Worth newspaper articles to the record, stories that he felt pointed up the contention that Dallas is worried about its "image" as a result of the tragedies of Nov. 22-24.

Judge Brown said he would admit them, but asked Belli to stop reading from them. Belli then reached for a November copy of "The Thunderbolt," an anti-Semitic, racist publication from Birmingham, Ala., which accused President Kennedy of immorality.

Belli insinuated that the publication was printed in Dallas. "We got a lot of copies of it given to us," he said.

HE CALLED THE REMARKS in The Thunderbolt—mentioned by various news media since the assassination—"the most scurrilous, filthiest and nastiest" he had seen.

Dist. Atty. Henry Wade angered Belli as he snapped, "That isn't a Dallas publication. That comes from California, doesn't it?"

"We don't have filth like this in California," Belli said, his face reddening. "and we've never had a President assassinated in my state either."

THE ONLY PERSON who came close to filling the 11th spot on the jury was Mrs. Vera Johnson, a Southwestern Bell Telephone Co. employee for 15 years.

Mrs. Johnson said she saw the television account of the Oswald shooting in the City Hall basement, but termed it "just a great mass of people . . . as far as I could tell I couldn't see who did the shooting or how it came about."

Defense attorney Joe Tonahill asked if she recalled Ruby hopping, skipping or jumping forward to fire the fatal shot.

"I can't remember," she said. "it's been so long ago."

MRS. JOHNSON SAID she felt the law that released a man if he committed an act while insane was a good one, said she knew nothing of the "oligarchy" Belli claims runs Dallas and did not know that public relations executive Sam Bloom had any role in the proceedings.

"You wouldn't give Mr. Wade another death sentence to tack on his leopardskin, would you?" Tonahill asked.

The prosecution objected and Judge Brown concurred.

Tonahill dismissed Mrs. Johnson, using a peremptory challenge.

(Indicate page, name of newspaper, city and state.)

18 "The Dallas Morning News" Dallas, Texas

Date: 3-1-64
Edition:
Author:
Editor:
Title: Jack B. Krueger

Character:
or
Classification:
Submitting Office: Dallas

144-24016-7A
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123 MAR 2-1964

57 MAR 27 1964

Wade Won't Call Mrs. Marina Oswald

Dist. Atty. Henry Wade said Saturday he does not intend to call Mrs. Marina Oswald as a prosecution witness during the Jack Ruby murder trial.

Wade's statement ended speculation he would put the widow of Lee Harvey Oswald on the stand.

Ruby shot Oswald in the City Hall basement Nov. 24 while millions of television viewers watched. Cameras were trained on Oswald since the 24-year-old Marxist had been arrested two days earlier as the chief suspect in the assassination of President John F. Kennedy.

Wade could call Mrs. Oswald to testify that her husband is dead.

The district attorney said, however, that he would use testimony of officers and doctors to show Oswald died after Ruby shot him at close range.

After Ruby pleads innocent to the murder indictment returned against him, Wade will call witnesses in an attempt to prove the 52-year-old manager of a downtown striptease club is guilty.

Wade estimated he will need "about two days" to complete his case.

"It will depend largely on how long the defense cross-examines witnesses," the district attorney said.

Assistant Dist. Atty. William F. Alexander said prosecutors will call Homicide Detective J. R. Leavelle as the first witness in Ruby's trial, which may last another two weeks.

Leavelle was the "officer in the white hat" handcuffed to Oswald when he fell mortally wounded.

Alexander said other officers will follow Leavelle to the stand and will tell about the shooting and statements which Ruby made after they wrested a pistol from his grasp.

They will include Police Capt. Glen King, who testified at an earlier hearing that Ruby told him "You don't think I was going to let him get away with it, did you?" Prosecutors say this statement shows malice and premeditation on Ruby's part.

Then prosecutors will present medical testimony that Oswald died of a bullet wound. A ballistics expert will say the bullet came from the pistol taken from Ruby.

Wade and his assistants will "rest our case" at this point under present plans.

Defense lawyers will get their chance to try to convince the jury that Ruby was temporarily insane when he pulled the trigger.

They will present testimony that Ruby was emotionally upset by the assassination. Much of this testimony may come from George Senator, a close friend and business associate of the slayer.

Then the defense will present its medical testimony.

This testimony from psychiatrists and at least one psychologist will picture Ruby as an emotional man who snapped under the stress of the assassination and shot Oswald while in a blackout.

When the defense testimony ends, Wade will present conflicting psychiatric testimony. Dr. John Holbrook of Beverly Hills Hospital, who examined Ruby in the county jail, will describe him as sane.

Prosecutors also may call jail guards to testify that Ruby is sane in their opinion.

Then, after closing arguments by lawyers, the case will go to the jury and it will decide who to believe.



—Dallas News Staff Photo by Bill Lindsey.

Joe Tonahill, Henry Wade and Melvin Belli, from left, enjoy a bit of humor in a meeting prior to Saturday's session. Shortly afterward, the smiles between the Jack Ruby trial lawyers turned to leers.

day's session. Shortly afterward, the smiles between the Jack Ruby trial lawyers turned to leers.

STRESS DISCUSSED

Freak Gridiron Plays Injected During Trial

A defense lawyer and a prospective juror talked about football during the Jack Ruby murder trial.

J. Waymon Rose, a furniture salesman who became the 10th juror, injected football into the trial while defense lawyer Melvin Belli questioned him about his qualifications.

Belli, who contends Ruby's mind snapped before he shot Lee Harvey Oswald, wanted to know if Rose thought a man could "lose control of himself completely" while under stress.

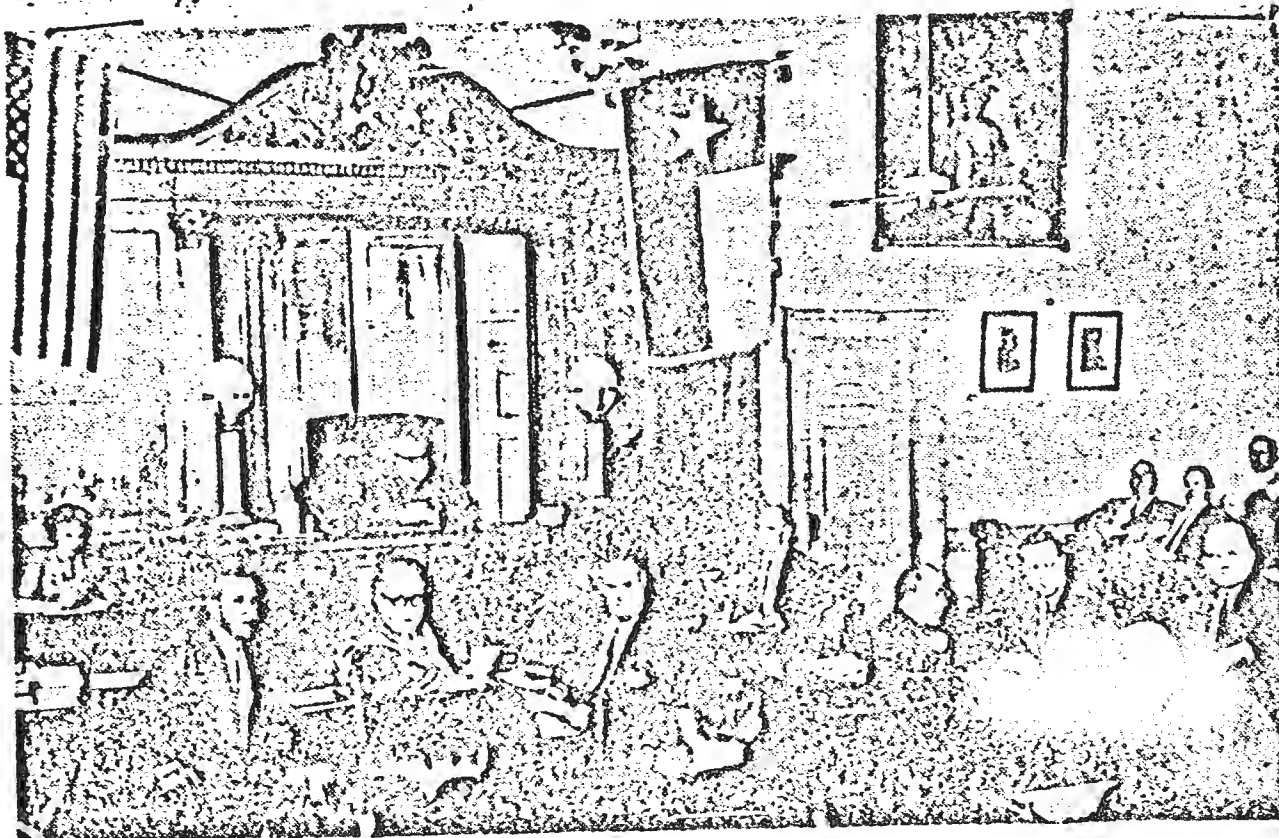
"Well, I remember a football game in which a tackle came off the bench and tackled the runner from the opposing team who was carrying the ball, Rose replied.

This was the famous play in the 1954 Cotton Bowl game between Alabama and Rice. Tommy Lewis, Alabama cocaptain, ran from the bench and tackled Dickie Maegle after the Rice all-American halfback broke into the clear. The referee awarded Rice a touchdown.

Belli, who lives in San Francisco, showed he also knows something about football.

"We had the case in the Rose Bowl when Roy Riegels ran the length of the field in the wrong direction," Belli told Rose. "That was another example of what stress can do."

Belli referred to the 1929 game in which Riegels, the California center, grabbed a loose ball and headed in the wrong direction. A teammate finally tackled the confused Riegels a foot short of the goal, but the freak play led to a victory which won the game for Georgia Tech.



Associated Press wirephoto

Judge Joe B. Brown, in his robes on the bench, who is hearing the Ruby murder trial in Dallas, arranged this photograph to show the inside of his court. At the table on the left are, from left, defense counsel Phil Burleson, Melvin Belli and Joe Tonahill. At table on the right, from left, are Frank Watts and A. D. Bowie, assistant district attorneys and district attorney Henry Wade. Spectators are seated in the jury box.

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UPI-53

(RUBY)

SAN FRANCISCO--ATTORNEY MELVIN BELLI PREDICTED LAST NIGHT THAT THE CONVICTION OF JACK RUBY, KILLER OF ACCUSED PRESIDENTIAL ASSASSIN LEE HARVEY OSWALT, EVENTUALLY WILL BE REVERSED.

BELLI, DISMISSED AS RUBY'S CHIEF COUNSEL AFTER THE DALLAS JURY CONVICTED THE NIGHT CLUB OPERATOR, TOLD A PRESS CLUB DINNER THAT THE VEREDICT WOULD BE OVERTURNED "IF NOT IN DALLAS THEN IN THE SUPREME COURT OF THE UNITED STATES."

THE SAN FRANCISCO LAWYER SAID THAT "THE RECORD WILL SHOW THERE WERE SOME 100 ERRORS IN THAT TRIAL."

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REC-121

NOT RECORDED
43 APR 9 1964

EX-117

64 APR 17 1964

WASHINGTON CAPITAL NEWS SERVICE

Tolson _____
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BUCHANAN URGES PANEL TO REMOVE KILLER FROM DALLAS

A Jack Ruby 'suicide' is predicted

REPORTING on investigatory visits to Dallas, Miami and Washington concerning the assassination of President Kennedy, Thomas Buchanan (Paris Express, March 13) predicted that although Jack Ruby has been condemned to death for killing Lee Harvey Oswald, assassin-suspect, "he will not die in the electric chair."

"He will not live long enough for that," Buchanan said. "The ground has been perfectly prepared: Ruby's purported

windshield, so that if there was a hole it was produced by a bullet that missed the target.

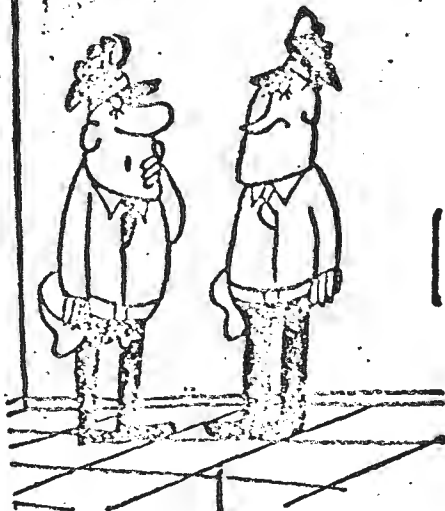
If Dudman's statement was correct, Buchanan said, it would mean that a fourth bullet was fired. He said "an official investigator" had assured him that if there were four shots, "there must have been two assassins," it being impossible for one man to have fired four shots in the brief time in which the Kennedy car was passing.

Before Buchanan left Washington, the commission heard a Dallas citizen, James Richard Worrell, testify that he heard four shots—as against FBI insistence there were only three. Buchanan said the Washington visit strengthened his confidence in the commission, and declared he does not question the honest intentions of the Justice Department. He was assured that the commission would question all employees of the Dallas book depot.

THEORY ON RUBY: In Dallas, Buchanan looked into the theory that Ruby might have been the assassin on the bridge. (Buchanan has theorized that the assassination involved a plot by seven persons.) In any case Ruby was alone in the Dallas Morning News building just before the crime, and was also there a few minutes after it, and no one saw him in the interim. (Buchanan had already noted that it is a 2½-minute run from the bridge to the newspaper office.) Neither Ruby's lawyer nor prosecutor Wade probed at the trial into whether

or not Ruby showed signs of a recent physical effort when the newspaper's employees returned to the building on the assassination day.

In an earlier article of his series in L'Express (March 12), Buchanan addressed himself to persons outside the U.S. in pinpointing absurdities of the official version of Kennedy's assassination. The fact that Ruby was so intimate with the Dallas police as to be able to kill Oswald under their eyes, in their own headquarters, has popularized abroad the theory that gangsters organized the Kennedy assassination with the complicity of the Dallas police. But gangsters clearly had no interest in eliminating the President, Buchanan said; in any case Dallas is not one of the worst U.S. cities with regard to ties between police and gangsters—New York, for example, being worse, as the Kefauver report showed.



Lap in Canard Enchaîné
 "Ooops! We forgot to give Ruby a bullet-proof vest."

insanity will give plausibility to his attempt at suicide. And this attempt, I am convinced, will succeed."

Buchanan called upon the Johnson-Warren commission to place Ruby under its protection without delay, and not "leave him in the hands of a police force, one or more of whose members hope to reduce him to silence."

Buchanan said his full report on the case was "in good hands in Washington at the request of a member of the Warren commission," Howard P. Willens, liaison officer between the commission and the Justice Department. Buchanan was elected to Willens after an interview with Assistant Attorney General Nicholas Katzenbach. Willens "took detailed notes," Buchanan said, and examined Buchanan's photographs taken in Dallas.



Particular in the Gazette & Daily, York, Pa.
 "Leave no stone unturned."

REC-59 44 11 1-

The Washington Daily News

NOT RECORDED
 26 APR 15 1964

The Evening Star

York Herald Tribune

York Journal-American

York Mirror

York Daily News

York Post

New York Times

Worker

New Leader

Wall Street Journal

National Observer

People's World

Exhibit 4
 National Guardian
 pg. 7

72 APR 17 1964

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Mr. Rosen
Mr. Sullivan

THE BOARD WILL BE LEAVING ALL OF THE MATTERS WHICH ARE NOW
CONTINUING UNTIL THE COMPLETION OF THE FIRST CONTRACT IS REACHED. WHILE IN
THE NEGOTIATION OF ANOTHER CONTRACT WITH THE SAME FIRM.

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46 APR 9 1964

64 APR 17 1964

WASHINGTON CAPITAL NEWS SERVICE

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Jack Ruby

UPI-93

(RUBY)

AUSTIN, TEX.--THE UNIVERSITY OF TEXAS BOARD OF REGENTS TODAY GRANTED A LEAVE OF ABSENCE TO LAW PROFESSOR DR. HUBERT WINSTON SMITH SO HE WILL BE FREE TO ACT AS JACK RUBY'S DEFENSE LAWYER. THE BOARD SAID THE LEAVE WILL BE EFFECTIVE APRIL 15. THE LEAVE WILL CONTINUE UNTIL THE BEGINNING OF THE FIRST SEMESTER OF SCHOOL FOLLOWING THE TERMINATION OF SMITH'S CONNECTION WITH THE RUBY CASE.

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EX-117

REC-121

NOT RECORDED
 46 APR 9 1964

53 APR 16 1964

WASHINGTON CAPITAL NEWS SERVICE

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Miss Holmes _____
Miss Gandy _____

Oswald Knew of Trip to Dallas— Before Kennedy, Oliver Claims

Lee Harvey Oswald knew of President Kennedy's trip to Dallas before the president did, Revilo Oliver told a crowd of 600 here Thursday night. Furthermore, he asserted, the motorcade route was changed to take the president past the Texas Book Depository, where Oswald worked, so the alleged assassin could get a better shot. The assassination and Oswald's murder were part of a Communist plot, Oliver asserted.

Oliver, a University of Illinois classics professor, is a council member of the John Birch society.

He said the motorcade route



Oliver

was changed after Oswald failed to get a job in a printing firm along the proposed route because the manager there learned of Oswald's "notorious Communist record."

Oliver said that either Oswald had "45 days in advance, secret information from some source in or close to the White House that Kennedy really would visit Dallas, or he had assurance from such a source that if he succeeded in establishing himself in Dallas, the president would be persuaded to visit that city."

"At all events," Oliver continued, "Oswald must have had some assurance that the procession was going to follow—or would be made to follow—that route, and he must have had that assurance . . . long before Kennedy himself knew that he was going to be in Dallas at all."

Oliver spoke in the Plankinton hotel. The hall was filled to capacity. His talk had been scheduled at Marquette university. It was canceled by MU officials after they learned that he wrote an article in a John Birch magazine saying that President Kennedy was killed because he was not turning the country over to the Communists fast enough.

For the statements about the late president, Oliver was censured by the University of Illinois, but was allowed to keep his job there.

Leonard Galbrecht, chairman of the city election commission, sat three rows from the speaker's platform. He wore a button backing Gov. George Wallace of Alabama for president.

Galbrecht told a reporter who asked about the button: "God-damn right. It's a free country."

Oliver was interrupted frequently by applause—the loudest when he denounced the civil rights bill pending in the senate as "this infamous, hypocritical, lying civil rights bill," and complimented Wallace as "a great gentleman."

(Indicate page, name of newspaper, city and state.)

A-26

"MILWAUKEE JOURNAL"
Milwaukee, Wisconsin

Date: 4/3/64
Edition: LATEST
Author:
Editor: LINDSAY HOPKIN
Title: JACK LEON RUBY, aka;
LEE HARVEY OSWALD, Vict.
(Deceased)
Character: CIVIL RIGHTS
or
Classification:
Submitting Office: MILWAUKEE

2 APR 16 1964

NOT RECORDED
46 APR 15 1964

JACK L. RUBY, AKA LEE H. OSWALD, AKA - VICTIM CIVIL RIGHTS

Jack Ruby Fund May Help Build JFK Memorial

By EETH KANTOR

AUSTIN, Tex., March 30—Jack Ruby, a killer sometimes described as a man who loved President Kennedy, unwittingly may become responsible for the building of a lasting monument to JFK in Colorado.

Ruby's new defense lawyer, Dr. Hubert W. Smith, hopes to raise millions of dollars for a legal appeal to beat the electric chair—and then put most of the money into the "building of a palace of learning and a temple of justice dedicated to Mr. Kennedy's memory, in Crested Butte, Colo."

Described by friends as "a pure idealist," Dr. Smith has both law and medical degrees from Harvard University.

But he may be forced to leave his full-time professorship at Texas University here because of his determination to take on the Ruby appeal.

Dr. Smith wants no pay for his battle to reverse the Dallas jury's death verdict.

In taking on the Ruby fight, he hopes to rebuild the abandoned mining town in the Rockies into "the true cultural center of the U. S."

Head of the university's law-science institute, Dr. Smith has been devoting his spare time to the rebuilding of Crested Butte since 1954.

Ten years ago, the President-elect of the Minnesota Bar Ass'n, Sidney P. Gislason, presented Dr. Smith with \$7500 "on behalf of the trial lawyers of the nation" for the work Dr. Smith had done in pioneering the science of mingling medical proof into law.

Dr. Smith asked that the money be used to establish a non-profit law-science academy.

The academy began humbly in Crested Butte where property was at about ghost-town values.

Since then, Dr. Smith has attracted many of the nation's foremost psychiatric and other medical specialists to Crested Butte to teach summer courses to attorneys who range from beginning lawyers to the great names in trial work.

More property has been bought in the small town near Aspen. Dr. Smith has expanded his summer courses to art lectures and the humanities.

"Too often these things are overlooked," he explains. "America has been hurrying at hectic speeds. We have begun a return to the treasures of culture in Crested Butte."

Dr. Smith's dream, now in fundamental planning stages, is to bring "gifted young artists from all parts of the world to Crested Butte, furnish them homes and atmosphere and let them create."

He hopes to bring in "talented actors who can't find recognition on Broadway."

He plans to establish repertory and major theater groups there on a permanent basis.

A Dallas businessman has told Dr. Smith that "\$5 million can be raised for Ruby's defense fight in just two weeks."

Dr. Smith already is getting architectural plans drawn for the "palace of learning and a temple of justice" that he wants built, with the bulk of the Ruby contributions, "in the name of John F. Kennedy."

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Sullivan _____
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Trotter _____
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Holmes _____
Gandy _____

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The Washington Post and Times Herald _____
The Washington Daily News _____ 19
The Evening Star _____
New York Herald Tribune _____
New York Journal-American _____
New York Mirror _____
New York Daily News _____
New York Post _____
The New York Times _____
The Worker _____
The New Leader _____
The Wall Street Journal _____
The National Observer _____
People's World _____
Date 2-30-64

REC-24

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46 APR 6 1964

79 APR 15 1964

(Mount Clipping in Space Below)

Mr. Tolson _____
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 Mr. Mohr _____
 Mr. Casper _____
 Mr. Callahan _____
 Mr. Conrad _____
 Mr. DeLoach _____
 Mr. Evans _____
 Mr. Gale _____
 Mr. Rosen _____
 Mr. Sullivan _____
 Mr. Tavel _____
 Mr. Trotter _____
 Mr. Tele. Room _____
 Miss Holmes _____
 Miss Gandy _____

Ruby's New Attorney Given UT Approval With Strings

By RICHARD M. MORRHEAD
 Austin Bureau of The News

AUSTIN, Texas — Two conditions were attached by the University of Texas law school to Dr. Hubert Winston Smith's participation in Jack Ruby's defense.

Dean W. Pappe Keeton said Wednesday that he approved Dr. Smith's acceptance of the case, in advance, on the understanding:

1. "The case must not interfere with his full-time responsibility at the university. If it gets to a point where it does interfere, a leave of absence will be necessary."

2. "The case must be conducted with proper professional conduct and ethics."

THIS IMPLIED criticism of Ruby's former counsel, Melvin Belli, who was dismissed after the Dallas strip joint operator drew a death penalty for slaying Lee Harvey Oswald.

Keeton explained that professional ethics call for attorneys engaged in a lawsuit to refrain from comments to the press outside court.

"I know this is the way that Dr. Smith intends to conduct the case," said Keeton.

Dr. Smith, holder of degrees in both law and medicine from Harvard, is widely known in the field of legal medicine. He is a professor of law nine months of the year, at \$18,000, and director of the Law-Science Institute, part of the law school.

DEAN KEETON said that Dr. Smith's current duties consist of

two thirds teaching and one third administration.

During summers, Dr. Smith conducts on his own—not under University of Texas auspices—a law-science academy at Crested Butte, Colo., near Gunnison. Lawyers and physicians take courses in the problems of legal medicine, particularly trial of personal injury litigation. The academy curriculum also includes the medical aspects of criminal law, according to Keeton.

Dean Keeton described the academy as a "voluntary organization of lawyers which Dr. Smith helped to organize. The university has nothing to do with it."

The dean said university law school policy allows faculty members to accept outside employment which "does not interfere with their assigned responsibility."

MOST MEMBERS of the law faculty assist in private cases occasionally, said Keeton, and are encouraged to do so within reasonable limits in the belief that such practice makes them better teachers. Dean Keeton takes an occasional appellate case.

Dr. Smith's employment in the appeal of Ruby's case, Keeton said, should not involve his absence from the campus more than briefly, even if it goes to the U.S. Supreme Court. If the verdict should be reversed, and a new trial held, "he'd. have to take leave (of absence) to participate," Keeton predicted.

Dr. Smith writes about legal medicine as well as teaching and practicing the specialty, Keeton said.

A 56-year-old native of Dallas, Dr. Smith became interested in the problems of presenting scientific evidence and medical testimony while a law student at Harvard. He practiced law in Dallas during the 1930's, then enrolled in medical school at the University of Edinburgh, Scotland. He got a medical degree from Harvard in 1938.

HE SERVED in the Navy during World War II, then taught legal medicine at the University of Illinois and Tulane before coming to Texas in 1951 to found the Law-Science Institute.

Dr. and Mrs. Smith have four sons. Three of them students at the University of Texas. The oldest son, Charles, a mathematics major, was quoted in the Daily Texan Wednesday as saying his father "believes there is definite clinical evidence that Ruby has brain damage. He is also very definitely against capital punishment."

(Indicate page, name of newspaper, city and state.)

6 "The Dallas
 Morning News"
 Dallas, Texas

Date: 3-26-64
 Edition:
 Author:
 Editor:
 Title: Jack B. Krueger
 Character:
 or
 Classification:
 Submitting Office: Dallas

72 APR 21 1964

NOT RECORDED
 46 APR 18 1964

Issue of New Tests For Ruby Discussed

By CARL FREUND

A dispute arose Wednesday over new laboratory tests for Jack Ruby.

Dr. Hubert Winston Smith, Ruby's new chief defense attorney, told reporters he will ask Judge Joe B. Brown to order new tests for the condemned slayer.

First Assistant Dist. Atty. A. D. Jim Bowie said prosecutors will vigorously oppose the tests.

Dr. Smith, a University of Texas law professor, said he wanted tests which would show "once and for all" whether Ruby suffers from psychomotor epilepsy or any other brain disorder which could affect his behavior.

"If these exhaustive tests showed he did not have psychomotor epilepsy, we could cast that aside," the defense lawyer said. "On the other hand, if there is evidence that he does have a brain disorder, that evidence should be available to us."

He said the tests could be given at the Austin State Hospital.

Bowie said there is no legal basis for additional laboratory tests.

The prosecutor suggested that Dr. Smith concentrate on getting a new trial for Ruby instead of thinking about evidence they could introduce at that trial.

"Face it, the way they could use results of laboratory tests in their

attempts to get a new trial," Bowie continued. "Our laws provide for new trials if there is newly discovered evidence which would have an important bearing on the guilt of the accused. But the results of new lab tests would not fall within this classification."

"We had testimony during Ruby's trial about the tests he received in January. Results of new tests would merely represent cumulative evidence."

Three psychiatrists analyzed results of the January tests. Two said they did not believe Ruby suffered from any brain disorder which could have led him to shoot Lee Harvey Oswald, the 24-year-old Communist sympathizer accused of assassinating President Kennedy.

The third said he concluded Ruby suffered from a brain disorder.

Defense lawyers told jurors that a psychomotor epilepsy seizure caused Ruby to "black out" seconds before he shot Oswald. Prosecutors said Ruby planned the shooting in the mistaken belief it would bring him "fame and fortune."

Bowie said he sees only one way the defense could make immediate use of new laboratory tests.

"Defense lawyers could contend Ruby became insane after the verdict," Bowie said. "If they presented sufficient evidence to Judge Brown, he could order a jury trial on this issue. And, if the jury agreed he was insane, his case would be 'frozen' until he regained his sanity."

Dr. Smith stresses scientific evidence.

His contract with Ruby and his family states:

"All parties hereto recognize that the Jack Ruby case involves complex scientific questions going to the very borderland of the existing knowledge of the behavior sciences . . ."

Role of Professor in Case Questioned

Dist. Atty. Henry Wade questioned Wednesday whether University of Texas faculty members should represent Jack Ruby in his fight to escape the electric chair. Clinic to testify as a defense witness also arranged for testimony by Dr. Walter Bromberg, a Ealing district attorney said the professor more psychiatrist.

Ruby's family announced Tuesday night that Dr. Hubert Winston Smith, a law school professor at the university, would serve as chief defense attorney for the 33-year-old slayer. Dr. Smith said Charles A. Wright, another member of the law school faculty, would work with him.

Wade commented:

"I have always had a high regard for Dean Keeton (Dean W. Page Keeton of the university law school) and was rather surprised to hear that he has no objection to faculty members serving as Ruby's lawyers.

Wade said the announcement that Dr. Smith would serve as chief defense attorney "brought him out into the open."

The district attorney said Dr. Smith has assisted defense lawyers behind the scenes "from the start."

"Dr. Smith is a big buddy of Joe Tonahill (another defense lawyer). Now he'll be helping in the open, instead of behind the scenes," Wade continued.

Wade said Dr. Smith tried unsuccessfully to get Dr. Karl Menninger of the famed Menninger

New Counsel Says Ruby Requires Help

By HUGH AYNESWORTH

Dr. Hubert Winston Smith, Jack Ruby's new chief defense attorney, said he accepted the job—without fee—because he felt Ruby needs his help and because he feels the American trial process

needs additional public confidence.

After a visit to Ruby in his county jail cell, Smith said, "He's desperate, penniless and he needs friends. I will try to help him in whatever way I can."

Smith, who earns \$12,000 for his job as professor of law and legal medicine at the University of Texas, said, "I have been fortunate enough to make a good living out of this profession."

"I should be willing to bring this experience into a case like this and do something for someone others have not come forth to aid."

The 6-page contract Ruby signed with Smith, Joe Tonahill, Phil Burleson, and Smith's University of Texas colleague, Charles A. Wright, contains the following provisions:

—Smith will have the final say on all actual legal preparation, appeals, motions and the handling of any new trials, if forthcoming.

—He also will determine what will be released to the press, including any photographs "or other forms of communication which may be released and to whom."

—Any moneys received from publications or communications by the Law-Science Academy of America or the Law-Science Foundation of America—if arranged or contracted by Smith—will be de-

posited in the Austin National Bank to finance the defense fund.

—Any donations or contributions will be included in this fund.

—The account will be that of the Law-Science Academy of Law-Science Foundation of the University of Texas Legal Center—which will use this money to pay expenses for the defense work.

—If incoming moneys exceed expenses, the remaining money will go to the Law-Science Academy or Law-Science Foundation to promote "their nonprofit research training and/or developmental programs." A special division will be set up toward advancement of criminal jurisprudence through research, teaching and litigation.

—Smith has the right to bring in additional lawyers and scientists, but any new legal counsel can be added only with Ruby's consent.

—There will be no disparagement of Dallas, no criticism of prior counsel, nor of courts or juries.

Ruby agreed to submit to any and all tests, interviews, examinations and other procedures Smith wants.

—Ruby agreed to take the stand in any future trial, if Smith requests him to do so.

—Ruby and his sister, Mrs. Eva Grant, representing the family, agreed to pay ("insofar as they can") travel expense, secretarial, office and clerical expense incurred directly or indirectly in handling the case.



—Associated Press Wirephoto.

Dr. Hubert Winston Smith . . . Jack Ruby's lawyer.

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RUBY'S DEFENSE

ASKS NEW TESTS

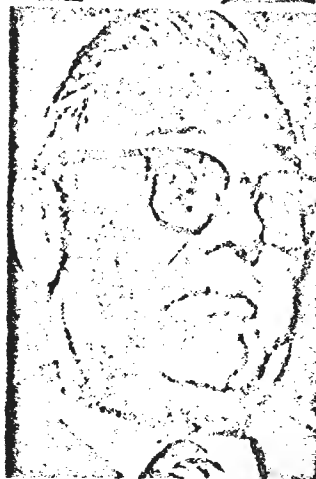
DALLAS (UPI).

Jack Ruby's new defense chief said yesterday he wants the condemned slayer to undergo another long series of medical and mental tests. He said if the judge refuses, it would be grounds for a reversal of Ruby's murder conviction.

Dr. Hubert Winston Smith, director of the Law Science Academy at the University of Texas, said the tests would primarily be used for Ruby's next trial. He said he is confident Ruby's conviction will be overturned by appeals courts.

Dr. Smith was named Tuesday as the chief of defense for Ruby, convicted of murdering accused Presidential assassin Lee Harvey Oswald. He is the third chief lawyer for Ruby in less than a week.

Melvin Belli, of San Francisco, who handled Ruby's defense during the trial, was fired less than a week ago for his tirades against Dallas and Dallas justice after the trial. Houston criminal lawyer Percy Foreman was then hired, and resigned four days later because of disagreements with the family. Mr. Belli followed Ruby's first lawyer, Tom Howard, of Dallas.



Herald Tribune—UPI
Dr. Hubert Winston Smith,
who has been hired as
Jack Ruby's new attorney.

Tolson ☒
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Mohr ☒
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Conrad ☒
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Sullivan ☒
Tavel ☐
Trotter ☐
Tele Room ☐
Holmes ☐
Gandy ☐

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The Washington Post and Times Herald _____
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New York Mirror _____
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New York Post _____
The New York Times _____
The Worker _____
The New Leader _____
The Wall Street Journal _____
The National Observer _____
People's World _____
Date _____

APR 23 3 55 PM '64 44-24016-A

NOT RECORDED
126 MAR 31 1964

MAR 26 1964

57 APR 1 1964

INTELLECTUAL

Dr. Smith Teacher Of Brown

By JOE THORNTON

Condemned killer Jack Ruby's new chief defense lawyer can be described as an intellectual — and he knows Judge Joe B. Brown, the man he'll soon face in court.

Ruby's family Tuesday night named Dr. Hubert Winston Smith to head the legal team seeking a new trial and possibly freedom for the 33-year-old former striptease joint operator.

Dr. Smith first met Judge Brown, who presided over the Ruby trial, in the 1930s when the Harvard-trained doctor-lawyer was practicing law in Dallas. He also was making some extra money as a teacher in the now defunct Jefferson University Law School.

Judge Brown was one of Dr. Smith's students.

Dr. Smith was graduated as Phi Beta Kappa from the University of Texas, receiving bachelor's and master's degrees.

He is the first person to be awarded doctorates in law and medicine from Harvard University.

And he is the first person to serve simultaneously on the faculties of Harvard's law and medical schools.

Later, he held a triple professorship in law, legal medicine and as a university research man in the law science division, which had spent more than 50 hours on the telephone since the month-long trial began and since its conclusion.

Joe Tonahill, a co-defense counsel, said Dr. Smith, whom he called a "great humanitarian," has the approval of the dean of the law school, Page Keaton, to work on the case.

Tonahill added he had tried to get Dr. Smith to take the case since December, but he was unavailable.

Ruby's sister, Mrs. Eva Grant, in her official announcement, said, "We are honored to have this great man represent our brother. We not only admire Dr. Smith for his intellect and attainments but because of his evident love of his fellow man and his concern for our brother's welfare."

During World War II, Dr. Smith served as a lieutenant in the Navy Medical Corps as officer-in-charge of the legal medicine section of the bureau of medicine and surgery.

As a 1-man board of inquiry, the then Lt. Smith was named to evaluate and determine the fate of 32 Marines charged with desertion from Saipan.

He filed several hundred pages of briefs and recommended the men be acquitted because, he said, they were suffering from battle fatigue. They were acquitted.

Dr. Smith, who is married to the former Miss Catherine McKinney of Dallas, is a graduate of medicine from Harvard University and North Dallas High School.

In 1954 he founded the Law-Science Institute in Austin, which he said now has more than 800 members. Tonahill is a member of the group. Dr. Smith was named lifetime chancellor of the organization.

Tonahill said he and Dr. Smith had spent more than 50 hours on the telephone since the month-long trial began and since its conclusion.

Length of Hearing Depends on Defense

A hearing on a new trial plea for Jack Ruby could last more than a week.

Or it could start and end in one day.

The length will depend upon the strategy of defense lawyers and the patience of Judge Joe B. Brown.

When he withdrew Monday as chief defense lawyer, Percy Foreman of Houston told reporters:

"If I had remained in the case, the hearing would have lasted as long as the trial."

Ruby's trial, which ended with him being given a verdict of death in the electric chair for the murder of Lee Harvey Oswald, lasted a month. This includes the time attorneys spent choosing the eight men and four women who decided Ruby's fate.

First Assistant Dist. Atty A. D. Jim Bowie said, however, he sees no reason why the hearing should last more than three days "at the most."

Judge Brown will spend much of his time listening to attorneys cite rulings by the Court of Criminal Appeals and the U.S. Supreme Court in other cases.

Dist. Atty. Henry Wade will emphasize a Court of Criminal Appeals ruling in a Dallas County rape case.

Prosecutors say the appeals court upheld a conviction in that

case even though one juror said he was convinced before hearing evidence that the defendant had raped a woman.

The appeals court noted the defense admitted the attack, but claimed the suspect was insane. Since the juror said he had no opinion on this point, the court said, he was qualified to sit in judgment in the case.

Wade will point out that, even though jurors saw television scenes of Ruby shooting Oswald, they would shed no light on Ruby's sanity at the time. And the defense admitted Ruby fired the shot.

Joe Tonahill and Phil Burleson, who remained on the defense legal staff after Ruby fired Melvin Belli, will insist these jurors were "witnesses."

They will cite court rulings to back up their argument that the jurors were disqualified and, as a result, why should have a new trial.

Prosecution and defense lawyers also will read from their law books while debating whether Judge Brown acted properly in refusing to transfer the case to another county.

The defense has the right to call witnesses to testify about

matters which took place outside the courtroom.

Foreman said he would have stressed that pickets stood outside the building with placards which attacked psychiatry as a defense in a criminal case.

"I feel this is certain to bring a new trial," the Houston lawyer said.

Bowie disagreed.

"They would have to show that jurors saw the placards and were influenced by what they saw," the prosecutor said.

By filing affidavits charging jury misconduct, defense lawyers could call jurors as witnesses and question them about how they arrived at their verdict.

Prosecutors could call witnesses to reply to the defense testimony, if Wade thought it necessary.

Judge Brown is expected to schedule the hearing late next month.

If he grants a new trial, Wade cannot appeal. But, if the judge refuses to grant a new trial, defense lawyers can go to the Court of Criminal Appeals and, if turned down there, into the federal courts.

Foreman Quits Ruby Defense

DALLAS, March 23 (AP) Attorney Percy Foreman withdrew today as chief counsel for Jack Ruby, blaming interference by the condemned killer's family for his decision.

The Houston lawyer had replaced Melvin Belli only four days ago.

This latest development in the bizarre murder case came as Ruby spent his 53d birthday in the county jail, sentenced to die in the electric chair for slaying Lee Harvey Oswald, President Kennedy's accused assassin.

Ruby 'Barbecued'

Foreman, 61, told newsmen he thought Ruby had been "barbecued" at his trial this month, but felt he had to quit the defense team because of disagreements with Ruby's family and a Dallas civil lawyer.

"No criminal lawyer with integrity can let a civil lawyer or a layman tell him what to do, especially when a man's life is at stake," Foreman told newsmen at the Dallas County Courthouse as he announced his severance from the case.

Stanley Kaufman, the civil lawyer referred to by Foreman, was quoted by the Dallas Times Herald as saying: "If Foreman says I have curtailed his activities, he's lying."

Advised Ruby Before

Kaufman, who denies any connection with the Ruby case, has given Ruby advice in the past on civil matters.

Foreman announced his resignation from the case in a letter written today to Ruby.

He cited the following reasons:

"Your sister, Mrs. Eva Grant, insists on retaining and exercising the general power of attorney from you.

"Attorney Kaufman . . . thinks criminal cases should be tried as he tries civil cases. I do not agree with his opinion.

"Both attorney Kaufman and Mrs. Grant believe that your attorney should not answer questions of the news media except with 'no comment.' I do not agree with this, especially in your case. The peculiar facts of your case make it necessary that the public know whatever facts mitigate the offense. If the news media before you were in court.

"Both convictions ought to be set aside. Change in public opinion may help bring about a reversal in the appellate courts."

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The Washington Daily News _____
The Evening Star _____
New York Herald Tribune _____
New York Journal-American _____
New York Mirror _____
New York Daily News _____
New York Post _____
The New York Times _____
The Worker _____
The New Leader _____
The Wall Street Journal _____
The National Observer _____
People's World _____
Date _____

MAR 24 1964

(Mount Clipping in Space Below)

CLAIMS 'DIVIDED AUTHORITY'

Foreman

Quits Ruby's

Defense

Houston Lawyer
Says He Prefers
Working Alone

By JERRY RICHMOND, Staff Writer

Percy Foreman resigned Monday as chief defense counsel for convicted murderer Jack Ruby only four days after he officially entered the case.

Mr. Foreman said his resignation was due to "the system of divided authority" under which the Ruby defense effort was being conducted.

The Houston attorney announced his withdrawal from the case in a letter hand-delivered to Ruby in his jail cell shortly before noon Monday.

Mr. Tolson _____
Mr. Belmont _____
Mr. Mohr _____
Mr. Casper _____
Mr. Callahan _____
Mr. Conrad _____
Mr. DeLoach _____
Mr. Evans _____
Mr. Gale _____
Mr. Rosen _____
Mr. Sullivan _____
Mr. Tavel _____
Mr. Trotter _____
Tele. Room _____
Miss Holmes _____
Miss Gandy _____

(Indicate page, name of newspaper, city and state.)

"The Dallas
Times-Herald"
Dallas, Texas

Date: 3-23-64
Edition:
Author:
Editor: Felix R. McKnight
Title:
Character:
or
Classification:
Submitting Office: Dallas
☐ Being Investigated

EX 101

APR 15 1964

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46 APR 15 1964

Mr. Foreman entered the case after Ruby's family fired the former chief counsel in the case, Melvin Belli, in an apparent disagreement over his tactics during and after the trial.

MONEY NOT FACTOR

In his letter to Ruby, the Houston attorney said "there is no possibility that you and I could not agree on a fee and a method of payment. When a human life is at stake, there should be no quibbling about money.

"But the conditions under which I would be required to work as your counsel on appeal, and in any future trials, would so handicap my efforts that I do not think it worthwhile to discuss further my employment in your case," he concluded.

He listed these conditions as:

"1. Your sister, Mrs. Eva Grant, insists on retaining and exercising the general power of attorney from you. This means I would have to represent her as well as you. Such would make my work twice as time-consuming.

"2. Attorney (Stanley) Kaufman has, and deserves, your confidence. He thinks criminal cases should be tried as he tries civil cases. I do not agree with his opinion. But since he is closer to you than I could ever become I would possibly have another person criticizing my conduct of your appeal and retrial."

Mr. Kaufman was identified as a friend and adviser of the Ruby family.

The Houston lawyer said Mr. Kaufman considers the record of the Ruby case closed and that there is nothing to be done but write the brief and argue the case on appeal.

MORE WORK YET

"I do not concur," Mr. Foreman's letter said. "There is a tremendous amount of work to be done, both out of court and at the hearing on the amended motion for a new trial. Unless this is done, in my opinion, several important legal points will not be properly preserved for consideration on appeal."

Mr. Foreman said it was not true that he was rejected by Ruby after his Sunday interview with the former nightspot operator.

Mr. Ruby didn't tell me he didn't want me. He did want me," Mr. Foreman stated.

The defense attorney said he likes to "try a case alone" and not be responsible to people other than his client.

"I'd just as soon represent Eva Grant as Jack Ruby, but I don't want to represent both of them," Mr. Foreman added. "I'd just as soon represent attorney Kaufman, but not all three of them."

The Houston attorney was asked whether he objected to attorneys Joe Tonahill and Phil Burleson remaining in the case. The two were members of Ruby's defense team under Melvin Belli.

"I don't object to them individually, but I'd rather work alone," Mr. Foreman said. "Working with others slows me down. I spent 16 hours Sunday and we got nowhere. If I had been alone I could have dictated the amended motion in that time."

In a press conference Mr. Foreman summed up his reasons for withdrawing from the case this way: "I do not think a lawyer assuming the responsibility for this man's life should have to share that responsibility with a civil lawyer and numerous unlicensed relatives."

"Some lawyers can work in double harness, but I can't. In Russia they have what they call a troika—three horses pulling one plow—but that's not for me," Mr. Foreman added.

The Houston attorney was asked: "Where does this leave Jack Ruby?"

"It leaves him at the same place he was before I entered the case," Mr. Foreman stated.

Mr. Foreman said he also disagreed with instructions from Mr. Kaufman and Mrs. Grant that he should answer all questions from news media with a "no comment."

"I do not agree with this, especially in your case," Mr. Foreman said. "The peculiar facts of your case make it necessary, in my opinion, that the public know whatever facts mitigate the offense. You were tried and convicted in the news media before you were in court. And both convictions ought to be set aside. Change in public opinion may help bring about a reversal in the appellate courts."

Mr. Foreman said he also could not work under a system of divided authority.

"I am not accustomed to conferring with or justifying my course of action to other attorneys," the letter said. "I have always worked alone. I am willing to accept responsibility and be judged by results, provided I am given freedom of action, but I cannot take time to go over the pros and cons of every decision before I make it and then debate it after I have done so."

He said that he felt no client in any criminal case ever had adequate or proper representation when responsibility is divided.

Mr. Foreman said that he had spent 16 hours with the two other attorneys in the Ruby case. He said they had every suggestion he could make about the preparation of an amended motion for a new trial.

He said he had enjoyed working with attorneys Joe Woodhill and Phil Burleson, Ruby's other lawyers, and that his withdrawal from the case did not come from any disagreement with them.

WON'T BE FEE

Mr. Foreman also said he planned to make no charge for any services he had rendered to Ruby.

Foreman concluded the letter saying Ruby had his "sympathy and best wishes."

"I will be happy to confer and cooperate without fee if your attorneys feel they need my help short of active participation in your case," he added.

Mr. Kaufman told The Times Herald he was not going to be in the case, and is not representing Mrs. Grant nor Ruby, although he has in the past.

KAUFMAN DENIED

"I'm not running Jack's business," he said. "Jack must select his own lawyer. If he (Foreman) says I have curtailed his activities, he's lying."

If Mr. Foreman cannot convince Ruby that he is the man the former nightclub operator should retain, "that's not my fault," the Dallas civil attorney stated.

Mr. Foreman appeared before newsmen at Sheriff Bill Decker's office following announcement of his resignation from the Ruby case.

The Houston attorney said Mr. Kaufman was waiting for him when he arrived in Dallas Sunday to confer with Ruby. Mr. Foreman said he spent an hour with Mr. Kaufman, rewriting the contract the famed defense attorney had signed with Ruby's brothers and one sister, Mrs. Eileen Vaminsky, in Houston last week.

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New Ruby Lawyer In Birthday Visit

DALLAS, March 23 (UPI).—Convicted murderer Jack Ruby turned 53 today and his defense attorneys, now headed by Percy Foreman instead of Melvin Belli, wished him many more birthdays.

Mr. Foreman and two other lawyers hired earlier by Ruby worked on a motion for a new trial over the weekend, visiting the Dallas County jail for nearly four hours of Sunday conferences with Ruby.

They planned more meetings with him today.

"LOT OF WORK"

"This case requires a lot of work, Mr. Foreman said after his last visit with the slayer of Lee Harvey Oswald, accused of assassinating President John F. Kennedy.

"A lawyer who didn't appeal all the way to the Supreme Court if he had to would be derelict in his duty," Mr. Foreman said in answer to a question in a brief interview at the jailhouse.

Strategy of Mr. Foreman and his co-counsel, Joe Tonahill and Phil Burleson, is to seek reversal of Ruby's conviction and death sentence and then try to win a new trial, probably outside Dallas.

Inviting reporters to their hotel room for photographs and more talk, the three attorneys declined to make any criticism of Mr. Belli's tactics, or comments on the case.

Ruby's family filed Mr. Belli after a Dallas jury sentenced the defendant to death in the electric chair about a week ago. Mr. Belli's late remarks about the city of Dallas, the trial, judge and jury may result in disciplinary action from the American Bar Assn.

Mr. Foreman said he had a letter in his pocket from Mr. Belli but would not disclose its contents. He and Mr. Tonahill made it clear they have none of the animosity for Dallas that Mr. Belli shouted to reporters after the verdict.

"I love Dallas," Mr. Tonahill said in answer to a question. Later, Mr. Foreman used the same words.



JACK RUBY
He's 53 Years Old Today

AMENDED BRIEF

Mr. Burleson estimated that the defense arguments for a new trial will be made to Criminal Dist. Judge Joe B. Brown in 34-38 days, after an amended written brief is filed with Mr. Foreman's help.

All three attorneys stopped by the office of Sheriff Bill Decker yesterday, and told him he had "done a wonderful job" protecting Ruby during the four-week trial. Sheriff Decker had come to the jail to arrange for photographs of Ruby with his attorneys, but Ruby changed his mind and sent a note to the Sheriff saying "it is not my desire" to have his picture taken.

Mr. Foreman was asked how he found Ruby in their meeting, and the 61-year-old Houston defense attorney said it was "sort of heart-rending to see a

man in this position like a rabbit on a string."

At the hotel press conference, Mr. Foreman refused to second-guess the defense decision not to let Ruby testify on his own behalf. But as a general rule, Mr. Foreman said "the appearance an individual presents to the judge and jury is more important than his testimony."

Sheriff Decker said today was Ruby's birthday but there would not be any "tea and crumpets."

"He's just another prisoner to me," said the sheriff who has about 1,100 persons in the jail built to hold 750.

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UPI-16

(RUBY)

DALLAS--CONVICTED KILLER JACK RUBY AND HIS NEW DEFENSE ATTORNEY, PERCY FOREMAN OF HOUSTON, MET TODAY FOR THE FIRST TIME AND DISCUSSED APPEALS STRATEGY.

FOREMAN, NICKNAMED THE "TEXAS TIGER," ALSO CONFERRED WITH RUBY'S TWO OTHER DEFENSE ATTORNEYS, PHIL BURLISON OF DALLAS AND J. H. TONAHILL OF JASPER, TEX. FOREMAN WAS HIRED AFTER RUBY FIRED CHIEF DEFENSE ATTORNEY MELVIN BELLI FOR HIS TIRADES AGAINST DALLAS.

RUBY, SENTENCED TO DEATH FOR THE SLAYING OF ACCUSED PRESIDENTIAL ASSASSIN LEE HARVEY OSWALD, DECLINED AN OPPORTUNITY TO BE PHOTOGRAPHED WITH THE FAMED FOREMAN.

HE SENT A NOTE TO NEWSMEN AND PHOTOGRAPHERS THAT READ:

"IT IS NOT MY DESIRE TO COME DOWN AND BE PHOTOGRAPHED."

FOREMAN, AFTER A LONG CONFERENCE WITH RUBY, SAID "IT'S SORTA DIS-HEARTENING TO SEE A MAN IN HIS POSITION...LIKE A RABBIT ON A STRING."

FOREMAN WOULD NOT COMMENT ON THE CASE OTHER THAN TO SAY IT "DESERVES A LOT OF WORK."

IN SHARP CONTRAST TO BELLI, HE DID NOT BLAME DALLAS FOR RUBY'S FLIGHT.

"NO SIR, I DON'T THINK THE CITY OF DALLAS WAS OUT TO GET JACK RUBY," HE SAID. FOREMAN SAID HE HAD A LETTER IN HIS POCKET FROM BELLI BUT WOULD NOT DISCLOSE ITS CONTENTS.

FOREMAN, IN COMMENTING ON WHETHER RUBY SHOULD HAVE GOTTEN A CHANGE OF VENUE, SAID "I DON'T THINK IT SHOULD HAVE BEEN TRIED FOR A YEAR, IF IT HAD BEEN TRIED IN DALLAS."

HE SAID HE WOULD SPEND THE REST OF THE DAY WORKING WITH BURLISON AND TONAHILL, WHO HE DESCRIBED AS "FINE PEOPLE." FOREMAN WILL VISIT RUBY AGAIN AT NOON EST TOMORROW.

FOREMAN WOULD NOT COMMENT ON HOW RUBY WAS TAKING HIS DEATH SENTENCE BUT SAID "IT IS ALWAYS SAD TO SEE A MAN IN THIS SITUATION." FOREMAN SAID HE WOULD TAKE THE CASE ALL THE WAY TO THE SUPREME COURT BECAUSE "A LAWYER WHO DIDN'T DO IT IF HE HAD TO WOULD BE DERELICT IN DUTY."

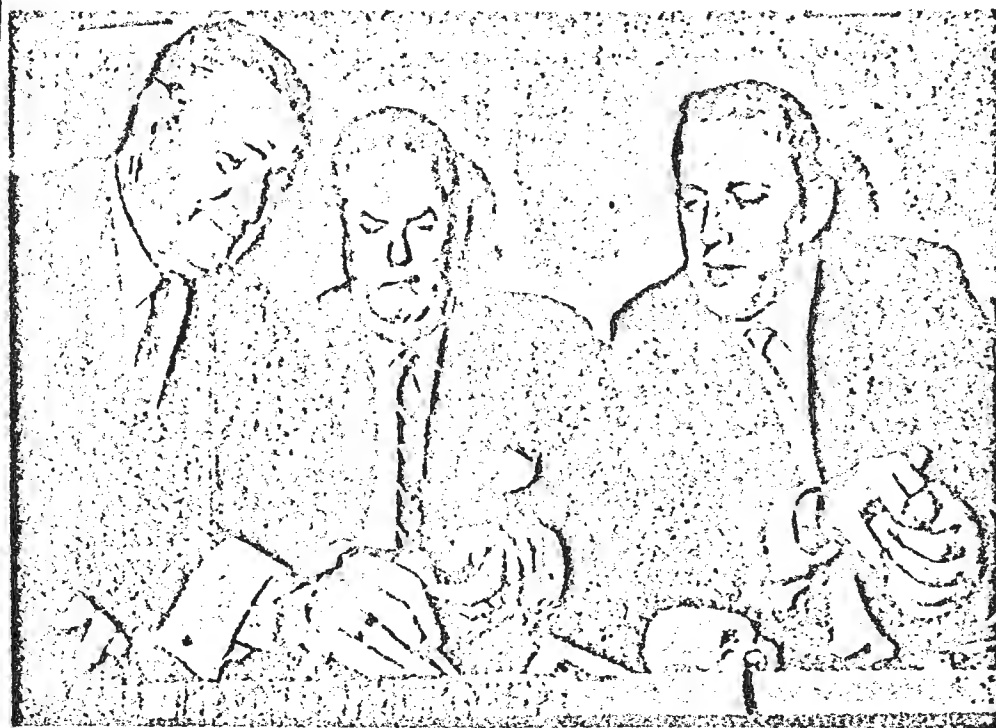
BURLISON AND TONAHILL PRAISED THE NEWEST MEMBER TO RUBY'S DEFENSE TEAM. THEY SAID THEY WERE HAPPY TO BE WORKING WITH HIM.

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NEW STRATEGY... Houston attorney Percy Foreman (left), now in charge of defense of Jack Ruby,

confers with other Ruby attorneys, Joe Tonahill (center) and Phil Burleson.

AP Wirephoto

(Mount Clipping in Space Below)

Mr. Tolson
Mr. Belmont
Mr. Mohr
Mr. Clegg
Mr. Glavin
Mr. Ladd
Mr. Nichols
Mr. Rosen
Mr. Tracy
Mr. Carson
Mr. Egan
Mr. Gurnea
Mr. Hendon
Mr. Pennington
Mr. Quinn
Mr. Nease
Tele. Room
Miss Gandy

Ruby Lawyers Plan Conference Sunday

By JERRY RICHMOND
Staff Writer

Lawyers for condemned slayer Jack Ruby scheduled a meeting Sunday to discuss new defense strategy they hope will save him from the electric chair.

Noted Houston criminal lawyer Percy Foreman will visit Ruby in his Dallas County jail cell for the first time Sunday morning before meeting with Dallas attorney Phil Burleson. Jasper lawyer Joe H. Tonahill also is expected to attend the noon meeting of attorneys.

Attorney Foreman conceded Saturday he faces an extremely difficult task in getting ~~amendment~~ penalty assessed March 14 re-

versed and a new trial ordered
for the slayer of accused assassin
Lee Oswald.

AT DISADVANTAGE

"I am being placed at a great disadvantage coming into this case at this time," the Houston lawyer said.

"However, I get into a great many cases after the verdicts are returned."

He said he is not "confident" he can get the case reversed, but added, "Had I not thought I could do some good, I would not have come into the case now."

Mr. Foreman, who replaces controversial San Francisco at-

(Indicate page, name of newspaper, city and state.)

25 "The Dallas
Times-Herald"
Dallas, Texas

Date: 3-22-64

Edition:

Author:

Editor: **Felix R. McKnight**

Title:

Jack L. O'Neil.

Character:

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Classification:

Submitting Offices:

Dallas

☐ Being Investigated

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torney Melvin Belli as chief counsel in the Ruby case, refused to comment on the trial beyond saying he is very familiar with it.

Mr. Belli was discharged from the case by Ruby and his family last Wednesday over apparent dissatisfaction with his tactics.

"I do not comment on trials conducted by other lawyers," he replied when asked how he would have approached the defense of Ruby.

CHANGE WANTED

But Mr. Foreman did say he, like Mr. Belli, would not have wanted the trial conducted in Dallas.

"I have the highest possible regard for the people of Dallas, but I do not think the case should have been tried there," he said. "I do not know now, if a new trial is granted, where it would be held."

Mr. Foreman said the coming days will be spent by the defense in preparing motions for a new trial and for the appeal.

"The big problem now is to get the record started," Mr. Foreman said.

He said the appeal would not be as expensive as the actual trial, but pointed out that transcripts and printing costs could be sizable.

The Houston lawyer said he probably will file a pauper's oath for Ruby in the court of Judge Joe B. Brown in the near future to secure the costly transcripts.

TRANSCRIPT COSTS

Transcript, which must accompany appeals, are expected to cost \$4,000 or more. They could be obtained by the defense for a fraction of that cost or even free if the defendant is unable to pay for it.

"I know it will be necessary," he said about the pauper's oath. "I haven't been paid a dime, given any properties to hold or had any expense money advanced."

Mr. Foreman also indicated he would not rule out psychiatry as a defense tactic. He added that doctors often misunderstand the rule of insanity on the topic "right or wrong."

"They leave out an important part of the law of knowing the difference between right and wrong by omitting the phrase 'about the act charge,'" he explained.

Meanwhile, assistants in Dist. Atty. Henry Wade's office began preparing answers to a motion for new trial filed late in the week by Mr. Burleson.

An assistant said several staff members had been assigned to work on answers for the motion which must be ruled on by Judge Brown as well as on an appeal to the Texas Court of Criminal Appeals.

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Ruby's Appeal Charges 36 Errors by Judge

DALLAS, March 20 (AP) — the time of the verdict to rule Jack Ruby's lawyers took on the defense motion. their first steps today on the long appeals route in an effort to save him from the electric chair.

They claimed that Judge Joe B. Brown made 36 errors in rulings and asked a new trial. The new trial motion is a technical preliminary to taking the case to the Texas Court of Criminal Appeals.

A Dallas jury convicted Ruby, 32, of murder with malice Saturday and set his punishment at death.

The defense claimed during the month-long trial that the girlie club operator shot Lee Harvey Oswald during a mental blackout triggered by grief over the assassination of President Kennedy.

Defense lawyer Phil Burleson filed today's motion with the clerk of Judge Joe B. Brown's court. Brown, who presided at the trial, was out of town. He has 50 days from

Burleson said Percy Foreman, newly appointed chief defense counsel, authorized the filing of the motion, which was signed by Foreman, Burleson and Joe Tonahill. Tonahill and Burleson were two of Ruby's original lawyers.

Forming the heart of the motion were these alleged erroneous rulings by Brown:

1. Failure to move the trial out of Dallas. The defense said Dallas citizens were too emotionally involved with the case to be jurors.
2. Permitting eleven persons who viewed the slaying of Oswald on television to sit as jurors. Texas law forbids witnesses to be jurors.
3. Denial of a pre-trial sanity hearing.
4. Admission of police officers' testimony that contained statements made by Ruby after his arrest.

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 New York Herald Tribune ☒
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Ruby Fires Belli and Hires New Counsel

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Holmes ☒
Gandy ☒

HOUSTON, March 19 (AP) Percy Foreman, a criminal attorney who says he can afford to choose his clients carefully, said today he has agreed to replace Melvin Belli as chief counsel for Jack Ruby.



Foreman is president of the National Association of Defense Lawyers. He has handled more than 700 criminal offense cases and has lost only one defendant to the electric chair.

Foreman's announcement in his Houston office followed the dismissal of Belli by Ruby and his family. Belli, a California attorney, had been Ruby's chief counsel.

Foreman said he signed a contract today with Eileen Kaminsky, a sister of Ruby, and with three of Ruby's brothers, Hyman Rubenstein, Chicago; Earl Ruby, Southfield, Mich.; and Sam Ruby, Dallas.

"We wanted Foreman in the first place," said Mrs. Kaminsky. "We preferred him to Belli. But Foreman was contacted by another man and there was some misunderstanding about what part Foreman would take in the case so we went with Belli."

Foreman said he understood that Joe Tonahill, Jasper attorney and Ruby's assistant counsel at the Dallas trial, is to file an appeal of the conviction Saturday.

"If Tonahill fails to do so, I'll file one Monday," Foreman said.

The sister and brothers refused to detail how or why

Belli was dismissed, but said the action was taken in a letter from Jack Ruby and another sister, Eva Grant, mailed to Belli last night at his San Francisco office.

"I'd rather not discuss contents of the letter, but what would you do if you got a verdict like that?" asked Mrs. Kaminsky.

Belli "put on a great big circus," said Rubinstein.

"We didn't like the things he said about Dallas and Texas," said Earl Ruby.

Belli bitterly criticized Dallas, the jury, the judge and the district attorney's office after the death verdict.

Walter C. Craig of Phoenix, Ariz., president of the American Bar Association, said Belli's comments would be investigated by the Committee on Professional Grievances. He called Belli's words "intemperate and abusive" and "a discredit to him and to his profession."

Belli, leaving Mexico City for his San Francisco home, commented to Mexican lawyer Victor Velasquez today that "public opinion and especially my fellow attorneys should not judge me until my handling of the trial in all its technical details are generally known."

Asked if Tonahill and Phil Burleson of Dallas would be retained for the remainder of the case, Foreman replied:

"I haven't been hired to work with anybody. I was hired to take charge of the appeal. If I think I can work with these other lawyers, I will keep them."

Foreman said he would not have taken the case "if I didn't think I could reverse it (the conviction)."

Foreman said his appeal would allege two major errors in the trial court:

1. The trial court permitted all persons who witnessed the

Oswald slaying on television to sit on the jury.

2. The court permitted hearsay evidence from a Dallas police officer who told the jury Ruby had said after his arrest that he killed Oswald to prove that "Jews have guts."

He said the foreman of the Ruby jury had been quoted after the trial as saying this statement by the policeman

was a compelling reason for the jury voting the death penalty.

Foreman declined, however, to criticize Belli's handling of the case.

"It would be unethical for me to do that and I don't approve of the American Bar Association criticizing Belli in such a public manner," Foreman said.

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ON THE LINE:

Grandpa With Fast Ideas

By BOB CONSIDINE

RILED that's what some were when the Ruby verdict came in:

"You hit a new low, even for you, when by cheap innuendo you use your poisoned pen to assassinate the good character of those people who performed a civic duty," writes James A. McFarland of Forest Hills.

"Is it any wonder why our courts find it is difficult to assemble capable jurors? Decent people are afraid of the vilification they receive from vitriolic columnists."

Just pray you never get one like it.



CONSIDINE

"Last week Frank Conniff had a piece quoting William Randolph Hearst Sr. as saying that just when the public became interested in a news story his editors and writers got tired of it and turned to something else," recalls H. R. Steed of Brooklyn.

"Well, what became of Bernard Weissman, who signed a black-bordered ad in the Dallas Morning News the day President Kennedy arrived? You were the only reporter in Dallas that day who sent out the text of that ad, far as I know. So what became of Bernard Weissman?"

Dunno. But there's a report that he and Dallas Police Capt. Will Fritz are out on a house-haunting tour.

"You dam' jerk," pens my fan Lillian Sellers of a New York law firm. "How are you going to blame Dallas when over 30 million people saw that other jerk shoot a handcuffed man in cold blood?"

It's easy, really.

"Your article, 'Did Ruby Have a Chance?' was a whorl of conjecture, inference and apparent clairvoyance," writes Mrs. E. Dunn, New Milford, N. J. "I have selected the word 'tripe' carefully because it describes your article most accurately: 'Anything Worthless.' You infer that the case would have had a different outcome in another

city, while in fact there is no basis whatever to come to this conclusion other than the repeated claims of the defense attorney."

Imply.

"You stated... 'Dallas police knew Rudy as a gun-toting extrovert,'" says Edwin A. Juszczak of Brooklyn, National Rifle Association member, president of the Revere Rod and Gun Club, member of the Somerset County Fish and Game Protective Association and, to complete the credentials list, Gun Enthusiast.

"Many, many gun enthusiasts (not criminals) are going to suffer because of these 'facts' being brought out now. Just a few people want anti-gun legislation and are distorting facts in an attempt to get their own way.

"Sen. Dodd of Connecticut states that anyone who was not for his bill was a subversive, fool, or mental incompetent. Well, I probably will qualify to one or all of his categories... How about a real newspaperman's facts and views on this controversy so we can AGAIN be a nation of free men."

"A little man named Jack Ruby was condemned to death for shooting to death an avowed enemy of the U.S.A., a Communist agitator and confirmed Marxist," a New Yorker who forgot his name writes. "He did it though this enemy was surrounded by Dallas police. He proved to the world whose side he was on. A lot was made of the fact that Oswald was handcuffed when shot. Nobody mentioned that John Fitzgerald Kennedy's back was turned when he was shot."

Yes.

"If Dallas County Assistant D. A. really said 'If they're so curious about Ruby's brain, I'd be happy to deliver it to them after the electrocution,' then he should apologize for having offended almost everyone who read it," suggested New Yorker Kurt R. Pollak.

He said it.

YOU tell him to apologize.

Hear Bob Considerine on WABC Radio 77, Monday through Friday at 6:59 p.m.

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[Handwritten signatures and initials, including "H. R. Steed" and "Lillian Sellers"]

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Why Ruby's Family Fired Belli

By THEO WILSON

(Who covered the Ruby trial for THE NEWS)

Minutes after Jack Ruby's jurors found him guilty of murdering Lee Harvey Oswald with malice and sentenced him to death, one of his sisters, weeping, cried out to me in the crowded, noisy Dallas courtroom: "He didn't have a fair trial!"

This same sister, black-haired Eileen Kaminsky of Chicago, with Jack's other sister and brothers, asked Melvin Belli yesterday to withdraw from the case as chief defense counsel and went to Houston to hire Texas' most famous lawyer, Percy Foreman, to replace him.

Why?

The stated reason was Belli's blasts at Dallas justice, the court, the jurors, the judge, the district attorney, and the state of Texas — blasts which the millionaire San Francisco lawyer started as soon as the verdict was read and which he continued for three days.

That, according to somebody very close to the case in Texas, is only half of it.

Appeals Court Is Elected.

"They put the pressure on Jack, and he is an easy guy to pressure," this source told THE NEWS yesterday in a phone call from Texas. "They got the message to him he'd be better off without Belli."

Who is 'they'?

"The district attorney's office, the sheriff's office," THE NEWS was told. "You have to remember that the Texas Court of Criminal Appeals is an elected court. The three judges are elected."

It is to this court that Ruby's attorneys, Foreman, Phil Butleson of Dallas and Joe Tonabill of Jasper, Tex., eventually will take their appeal, citing more than 30 alleged reversible errors.

The Texas informant said:

"Jack and his family were told that Belli was antagonizing every-



(Associated Press Wirephoto)
Melvin Belli in Mexico City.

body, even those who have sympathy for him. They were told that Belli, as an outsider criticizing Texas, was making enemies for himself—and for Jack. And that is why Jack personally signed the letter in which Belli was asked to pull out."

It Began in Court

Belli began his tirade in Judge Joe B. Brown's courtroom Saturday while the stunned Ruby and his stone-faced jurors were still there. And while the judge was still

wedged on narrow hard benches behind the counsel tables.

He "thanked" the jury for its "victory for bigotry." He called Dallas "a piece of Russia." He told us the trial was "the greatest railroading kangaroo court of law in history."

He described District Attorney Henry Wade as a hog-caller and told me: "He (Wade) called the hogs (the jury) and they came."

Threat to Quit ABA

All through the trial Belli told us he was going to resign from the American Bar Association "as soon as I get time to sit down and write a letter."

Yesterday ABA spokesmen said Belli's remarks about the verdict were in flagrant disregard of the legal profession's code of ethics.

In Mexico City, an unrepentant Belli said that "public opinion and my fellow attorneys should not judge me until my handling of the trial in all technical details is generally known."

As for getting thrown out of the ABA, Belli said that was something "like losing your membership in the Book of the Month Club."

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RUBY VIEW GIVEN BY GUTTMACHER

He Thinks Experts Would
Have Found Texan Insane

By THOMAS T. FENTON

The star psychiatric witness for Jack L. Ruby said yesterday that if twelve psychiatrists had examined Ruby, most of them would have found him legally insane.

"We were honestly convinced that this man had a good case from the point of view of legal irresponsibility," Dr. Manfred S. Guttmacher said in an interview yesterday.

"An Uphill Battle"

"But it was an uphill battle all the way," Dr. Guttmacher said, referring to defense efforts in behalf of Ruby, the 52-year-old Dal-

las night club operator condemned to death by a Dallas jury Saturday for the slaying of Lee Harvey Oswald, accused assassin of President Kennedy.

"If you immediately disqualify everyone who is against capital punishment, you load the jury," Dr. Guttmacher said.

Persons who oppose capital punishment are usually of the "liberal fringe" and tend to be sympathetic to psychiatry, he said.

The defense pleaded not guilty by reason of insanity, relying on the testimony of Dr. Guttmacher—medical officer of the Supreme Bench of Baltimore and a national authority on criminal psychiatry—and other leading mental experts. The jury found Ruby legally sane at the time of the crime.

Under Texas law, the burden of proof was on the defense to show insanity by a preponderance of evidence.

"At least a preponderance of the evidence was there," Dr. Guttmacher said.

Dr. Guttmacher said he felt the jury, which could have awarded anything from two years to death on the basis of a guilty finding, should have at least considered Ruby's mental sickness as a mitigation factor.

"And unless the crime was premeditated, they had no right to give him death," he said.

"Statement" Mentioned

To show premeditation, the prosecution relied on police testimony that Ruby said two days before the shooting that he was going to shoot Oswald.

Dr. Guttmacher, who examined Ruby for a total of twelve hours on December 21 and 22 and March 2 and 3, said Ruby denied making such a statement. He may have forgotten making the statement to police, the 65-year-old psychiatrist said, "but I think it's highly unlikely."

"Ruby claimed he never planned this, and I think this is true." The timing of the act also indicates a lack of premeditation, Dr. Guttmacher said.

Refers To Radio

Dr. Guttmacher said Ruby told him he had heard a radio announcement the day before that Oswald was to be moved from the police station to the county jail about 10 A.M.

On the day of Oswald's transfer and death, Ruby left his apartment about 10:30 A.M. and sent a telegram at the Western Union office at 11:15 A.M. On leaving the telegraph office, he walked over to the police station.

Countless television viewers, including the jurors, saw Ruby shoot Oswald at 11:21 A.M.

Dr. Guttmacher said he failed to understand District Attorney Henry M. Wade's comment after the verdict that the psychiatric defense had been "weak."

66 Witnesses

The only State psychiatric examination of Ruby was by Dr. John T. Holbrook, a local Texas psychiatrist, who saw Ruby for 10 more than an hour on the day after the shooting. Dr. Guttmacher noted.

Dr. Holbrook—one of the 3 (out of 66) witnesses heard during the trial who expressed an opinion on Ruby's sanity at the time of the crime—testified Ruby was sane.

The other two, Dr. Guttmacher and another defense psychiatrist, said they thought Ruby at the time of the crime did not know right from wrong or understand the nature of his act—the legal

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DR. M. S. GUTTMACHER

"Ruby was quite depressed"

definition of insanity under Texas law.

Dr. Guttmacher also termed "incredible" a suggestion by an assistant prosecutor after the verdict that the defense would have been stronger if it had "gone for schizophrenia."

Called Incredible

It was an incredible suggestion, Dr. Guttmacher commented, that one should "pick a diagnosis that will stick. Psychiatrists should never manufacture diagnoses."

Melvin Belli, Ruby's defense counsel, "never asked me to change my testimony a fraction of an inch," Dr. Guttmacher noted.

Discussing his diagnostic impression of Ruby, Dr. Guttmacher said that psychological tests and electroencephalograms (brain wave tests) showed "unmistakable evidence of brain damage."

"We also had testimony of the tremendous degree of his upsettiness over a period of a day and a half."

"Psychomotor Epilepsy"

"This man unquestionably had psychomotor epilepsy (a condition that can cause blackout seizures), but I did not maintain that the murder was the result of this."

Mr. Tolson _____
Mr. Belmont _____
Mr. Mohr _____
Mr. Casper _____
Mr. Callahan _____
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Mr. DeLoach _____
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Mr. Rosen _____
Mr. Sullivan _____
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Mr. Trotter _____
Tele. Room _____
Miss Holmes _____
Miss Gandy _____

(Indicate page, name of newspaper, city and state.)

40 THE SUN

THE EVENING SUN

THE SUNDAY SUN

THE BALTIMORE
NETS POST

THE SUNDAY
AMERICAN

BALTIMORE, MD.

Date: 3/20/64

Edition: FINAL

Author: THOMAS T. FENTON

Editor:

Title: JACK L. RUBY:

DR. MANFRED S. GUTTMACHER
PSYCHIATRIC WITNESS

Character:

or

Classification:

Submitting Office: BALTIMORE

☐ Being Investigated

T. J. C. M. V.

64 APR 1 1964

Dr. Guttmacher said that no one could definitely state that Ruby was suffering from such a blackout at the time of the murder unless competent observers had actually examined him at the time of the murder.

"I said that Ruby had the abnormal personality one finds frequently in psychomotor epilepsy.

"Many of these people are prone to explosive outbursts of a compulsive nature."

"Suddenly The Door Opens"

With Ruby's weak nature already extremely upset by President Kennedy's assassination, the uncontrollable explosive outburst that resulted in Oswald's death was triggered, Dr. Guttmacher said, after Ruby walked down the ramp of the police station into the flood of lights. "Suddenly the door opens. Here is this man he describes as a 'rat,' with a 'smirk' on his face."

"Ruby professes only a hazy memory of the actual act.

"I think this man really thought of himself as an exterminator, not as a man who had taken a human life," Dr. Guttmacher said.

Dr. Guttmacher said the theories of Dr. Karl Menninger on "episodic dyscontrol" "precisely fit the case of Jack Ruby."

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 Holmes _____
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UPI-46

(RUBY)

DALLAS--PHIL BUPLESON, ONE OF JACK RUBY'S ATTORNEYS, SAID HE WILL FILE A MOTION TODAY FOR A NEW TRIAL ON THE GROUND THERE WERE 182 LEGAL ERRORS AT HIS MURDER TRIAL.

AMONG THE POINTS IN THE MOTION FOR A NEW TRIAL WILL BE THAT THE COURT ERRED IN FAILING TO DISQUALIFY PROSPECTIVE JURORS WHO HAD SEEN THE SLAYING OF LEE HARVEY OSWALD ON TV.

3/20--MJ1050AES

44-39016-A
NOT RECORDED

128 MAR 26 1964

WASHINGTON CAPITAL NEWS SERVICE

COUNSEL FOR RUBY

Percy Foreman
Replaces Belli

By CARL FREUND

Percy Foreman, a Houston lawyer who has tried more than 350 murder cases, became chief defense attorney for Jack Ruby Thursday and announced he would fly to Dallas Sunday to confer with the condemned slayer.

Foreman replaced Melvin Belli, the controversial San Francisco lawyer fired by Ruby Wednesday night.

Like Belli, Foreman has a flair for the spectacular. Foreman is regarded, however, as far better versed in Texas legal procedures.

Foreman said he signed a contract with Mrs. Eileen Kaminsky, a sister of Ruby, and three brothers of the slayer. He said the contract provides he shall serve as chief defense attorney and shall have the final voice on decisions made by Ruby's legal staff in its battle to save Ruby from the electric chair.

A jury ruled Saturday that Ruby should pay with his life for the Nov. 24 murder of Lee Harvey Oswald, the 24-year-old Marxist accused of assassinating President Kennedy here.

Mrs. Kaminsky told reporters: "We preferred Foreman in the first place. We preferred him to Belli. But Foreman was convicted by another man, and there was some misunderstanding about the part Foreman would take in the case, so we went with Belli."

Foreman said this "misunderstanding" involved his fee.

"The intermediary told the I wanted four times the

amount I cited to him, and they decided they could not afford me," Foreman said.

Foreman said he has "a high regard" for Joe Tonahill of Jasper and Phil Burleson of Dallas, who were associated with Belli in defending Ruby during his month-long trial.

"My agreement provides I will be chief defense attorney, but I would certainly have no obligation to Joe and Phil remaining in the case," Foreman said. "In fact, I would like to have them with me."

Burleson said Ruby asked him to remain on the defense staff, and he intends to do so.

Burleson's statement came after he conferred with Ruby for 55 minutes while the slayer ate breakfast in his county jail cell.

Tonahill said he also intends to remain a part of the defense team.

"I think I owe it to Jack," Tonahill said from his Jasper home.

Foreman said he will add other lawyers to the staff which will work with him.

"I have five lawyers over the state who assist me," he said. "At least one of them will work with me in the Ruby case."

Foreman said his contract provides specifically that he will "have the right to determine with whom I associate in the case."

Minutes after the family hired him, the Houston lawyer began preparing legal papers in the case.

Foreman said he has never met Ruby.

"I would like to see him sooner, but I'm tied up in court," Foreman said. "I'm preparing a motion for a new trial. I will file it Monday."

(Indicate page, name of newspaper, city and state.)

1 "The Dallas
Morning News"
Dallas, Texas

Date: 3-20-64
Edition:
Author:
Editor: Jack B. Krueger
Title:

Character:
or
Classification:
Submitting Office: Dallas

44-101-12
NOT RECORDED
46 APR 15 1964

Jack Ruby

APR 20 1964

NEW TRIAL PLEA SET

Ruby May File Pauper Affidavit

Jack Ruby, who craved to be seen with the rich and the famous, may swear Friday that he is a pauper.

A defense attorney, Phil Burleson, said Thursday that Ruby may sign a pauper's affidavit and attach it to his plea for a new trial.

The affidavit would free Ruby from the legal requirement that he pay for the record of his month-long trial.

Clerks and court reporters must prepare the record before the Court of Criminal Appeals can rule on the defense plea that it set aside the slayer's death penalty. The record is expected to cost at least \$4,000.

"We're considering filing a pauper's affidavit, but haven't reached a decision," Burleson said.

Prosecutors could contest the

affidavit, but indicated they would not do so.

Burleson said he plans to file the new trial plea Friday. If Judge Joe B. Brown overrules it, the defense will go to the Court of Criminal Appeals and, if turned down there, into the federal courts.

Percy Foreman of Houston, who replaced Melvin Belli as the chief defense lawyer, said he will stress these contentions:

—Judge Brown should have disqualified prospective jurors who "witnessed" the slaying of Lee Harvey Oswald on their television screens.

—Judge Brown should not have allowed officers to testify about statements which Ruby made while under arrest.

"I think it was especially prejudicial to allow a detective to testify that Ruby stated he shot Oswald to show Jews have guts," Foreman continued.

(Prosecutors say they are convinced the higher courts will rule Ruby got a fair trial and uphold his conviction.)

Foreman declined to discuss his fee, except to say it is "reasonable." He said he does not know where Ruby's sisters and brothers will get the money to pay him.

A brother, Earl Ruby, told reporters, "We may have to borrow the money, but we will get it."

Foreman Has Long Career

Percy Foreman, the Houston lawyer who started calling signals for the Jack Ruby defense team Thursday, is a big man experienced in trying big cases.

Foreman stands 6 foot 4 and weighs 250 pounds. That makes him even bigger than Joe Tona-hill, another mammoth defense lawyer who has variously listed his weight at 230 and 240.

Foreman said he has represented more than 700 clients charged with murder and has defended more than 350 before juries during his long legal career.

Only one, a restaurant owner who shot his wife, died in the electric chair.

Foreman's clients included George Parr, the so-called "Duke of Duval." Parr and four other defendants were convicted of mail fraud charges, but the convictions were set aside.

Foreman this year represented Jack Bonds, a Houston elevator mechanic, in a murder case which lasted as long as the Ruby trial. Bonds was accused of shooting a 17-year-old youth. Foreman turned the trial into a forum on juvenile delinquency, and jurors found Bonds innocent.

Foreman appeared in December on a nationally televised panel which discussed the legal rights of Lee Harvey Oswald, shot to death by Ruby.

LAWYER QUIET

Rumor That Belli Back In City Proves False

Reporters and photographers converged on the courthouse area Thursday after rumors spread that Melvin Belli had flown back to Dallas and was driving to the county jail.

The rumors proved false.

Belli told reporters in Mexico City, where he went "for a rest" after a jury here sentenced Jack Ruby to the electric chair, that he would fly to his San Francisco home.

Belli refused to discuss his dismissal as Ruby's chief defense attorney with Mexico City reporters, but said he might issue a statement in California.

Ruby and his family replaced Belli with Percy Foreman, a 61-year-old Houston attorney.

Attorney Victor Velazquez, a Mexico City friend of the volcanic San Francisco lawyer, said Belli expressed a hope that the public and fellow lawyers would not judge him until all "technical details" of the Ruby trial are known.

Velazquez said Belli also stated:

"I feel I did everything that could be done. I am not regretful. I did my utmost."

Belli's tirades against Dallas, Judge Joe B. Brown, Dist. Atty. Henry Wade and jurors brought widespread criticism and demands for an American Bar Association investigation.

Velazquez said Belli stated he hoped lawyers would not condemn his actions "on the basis of newspaper accounts." He made no mention of the fact that some of his outbursts were on national television.

Belli Can Still File Ruby Pleas, Lawyers Say

Melvin Belli could file legal pleas for Jack Ruby even though he was fired as chief defense attorney, lawyers here said Thursday.

They said Belli could file them as a "friend of the court."

It is optional with judges of higher courts whether they accept these pleas, but they usually do so.

The Dallas News revealed Thursday that Ruby and his family had dismissed Belli from the defense team.

Phil Burleson, another defense lawyer who was retained, conferred with Ruby Thursday morning and told reporters that Ruby, himself, made the final decision to replace Belli.

Meanwhile, George Senator, Ruby's former apartment mate,

said the slayer felt he did not get the best possible defense during the month-long trial which ended with jurors condemning him to the electric chair.

"He has been feeling pretty low lately," Senator said.

Burleson said he found Ruby "pretty composed" when he talked to the slayer in the county jail for 55 minutes Thursday.

Burleson also emphasized that, like Ruby and his family, he does not concur with Belli in his caustic criticism of Dallas.

"I do not endorse Mr. Belli's remarks," Burleson said. "They were his, not mine. This is my home."

WADE REFUSES ANY COMMENT

Dist. Atty. Henry Wade declined comment Thursday on the dismissal of Melvin Belli and the selection of Percy Foreman as chief defense attorney in the Jack Ruby case.

"That's a matter for Ruby and his family," Wade said.

★ PLEA SLATED BY TONAHILL

JASPER, Texas (AP)—Joe Tonahill, East Texas lawyer, who assisted Melvin Belli in the murder trial defense of Jack Ruby, said Thursday night he will file a motion for a new trial Friday about 8 a.m.

"Phil Burleson and I, who have been working day and night on this motion, will file it tomorrow about 8 o'clock in Judge Joe B. Brown's court," Tonahill said.

The motion for a new trial, the lawyer said, contains 182 assignments of error, including 135 times "the court failed to sustain objections made in the defendant's amended objections to the court's charge to the jury."

Among the points Tonahill said he would make in the motion for a new trial was that the court erred in failing to disqualify prospective jurors "who had become witnesses to the offense via television."

Tonahill made it plain that he and Burleson, would file the new trial motion despite the fact that Ruby's family have announced that they have hired Percy Foreman of Houston as new chief of the defense staff.



—Associated Press Wirephoto.

Percy Foreman of Houston is shown with contract he signed with family of Jack Ruby to become his attorney.

From left are Earl Ruby, Sam D. Ruby, Foreman, Hyman Rubinstein and Mrs. Eileen Kaminsky.

(Mount Clipping in Space Below)

Ruby Signs Letter Dismissing Belli

By JERRY RICHMOND
Staff Writer

Convicted murderer Jack Ruby said Thursday he had fired lawyer Melvin Belli, whose post-trial rantings shocked Dallas, to follow lawyers and reportedly Ruby himself.

Attorney Phil Burleson — one member of Ruby's three-man defense team — said Ruby had personally signed a letter firing the California lawyer. Ruby said he felt he had done the right thing, said Mr. Burleson after a 55-minute talk with the slayer of Lee Harvey Oswald. Earlier Ruby's sister, Mrs. Eva Grant of Dallas, had announced the dismissal of Belli, and a one-time member of the defense team said it was because of both his post-trial rantings and long-time disagreement over defense strategy.

Mr. Burleson said he and co-counsel Joe Tonahill would file a motion for a new trial for Ruby Friday and "if this is denied the appeal to the Court of Criminal Appeals could take some six to nine months."

MONEY PROBLEM
The Dallas lawyer said it may be necessary for Ruby to file a pauper's oath with the court in order to secure the record of the trial and preliminary proceedings. That transcript, he said, is running \$7,000.

(Indicate page, name of newspaper, city and state.)

"The Dallas Times-Herald"
Dallas, Texas

Date: 3-19-64
Edition:
Author:
Editor:
Title:

Pelix R. McKnight

Character:
or
Classification:
Excluded:

Mr. Tolson	
Mr. Belmont	
Mr. Mohr	
Mr. Casper	
Mr. Callahan	
Mr. Conrad	
Mr. DeLoach	
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Mr. Holmes	
Miss Gandy	

REC

Mr. Burleson said he remarks Thursday about the case will be his last outside the court record, adding he wanted only to clarify his position.

Concerning Mr. Belli's post-trial accusations, Mr. Burleson said:

"I think the remarks attributed to Mr. Belli are his own and I have no comment on them. I have not endorsed them. Those were his remarks and not mine. I am a citizen of Dallas and a member of many organizations here."

Mr. Burleson said he would "be with Jack as long as he needs me"—all the way to the U.S. Supreme Court if necessary, he added.

Although Mrs. Grant declined to elaborate in detail on the decision to fire Belli, an attorney-friend who was once on the defense team said it was because of dissatisfaction over the defense tactics.

NOT SURPRISED

The lawyer, Tom Howard of Dallas, who quit the case in a dispute over tactics Feb. 14, said he was not surprised by the dismissal.

He said the Ruby family attempted to "disengage" Belli on Jan. 22 because they were not satisfied with his defense strategy.

Mr. Howard, who said he would not consider re-entering the case, said the Ruby family discussed firing Belli "with me before the trial started and have discussed it with me since."

"They were appalled and shocked at Mr. Belli's reaction at the close of the trial and his statements since," said Mr. Howard. "But that's not the main reason (for firing Belli). They have been dissatisfied all along."

"There are a lot of reasons," Mrs. Grant said. "My brother's life is at stake. I believe Mr. Belli became sick while he was here over some things he saw."

Mrs. Grant said attorney Tonahill was still on Ruby's defense team and said the family plans to keep Mr. Burleson "from now on."

"His (Belli's) remarks are not Mr. Burleson's fault," Mrs. Grant said. "Mr. Burleson will remain in the case."

FIVE CONCURRED

Mrs. Grant said the family — "there are five of us here now" — reached the decision to fire Mr. Belli at 10 p.m. Wednesday night.

"We all decided it was the best thing to do," she said.

Mrs. Grant said no decision has been made on new attorneys.

"We are considering eight lawyers and will pick two of them," she said.

There were unconfirmed reports that a newspaper series on Ruby's life story up to the time of the trial produced \$24,000 which was used to help finance the trial.

The sister of the man who shot President Kennedy's accused assassin had a Thursday morning appointment with her civil lawyer, Stanley Kaufman.

"We are not looking for publicity or notoriety," she said. "All we are doing is for the best interest of our brother."

An Associated Press story quoted Ruby's brother, Hyman Ruby of Chicago, as saying "the opinions this man (Belli) expressed about Dallas, the jury, Judge Joe B. Brown and Dist. Atty. Henry Wade are not shared by Jack or any member of his family."

Mr. Belli was in hotel Maria Isabel in Mexico City Thursday morning but did not answer his telephone.

United Press International quoted Mr. Belli as saying he hasn't heard anything about his discharge.

Although Mr. Belli refused to comment on the action until his return to San Francisco late Thursday, through a Mexican attorney friend, Victor Velazquez, he defended his handling of the Ruby case.

"Public opinion, and especially my fellow attorneys, should not judge me until my handling of the trial in all technical details is generally known," the Associated Press said Mr. Velazquez quoted Belli.

Mr. Velazquez said Mr. Belli added:

"I feel I did everything that could be done. I am not repentant. I did my utmost."

DEEPER IN TROUBLE

The flashy attorney Thursday found himself deeper in trouble with his fellow lawyers for his shouting denunciation of the judge, jury, district attorney and Dallas when the jury sentenced Ruby to die for the slaying of Oswald.

It was learned in Dallas that the American Bar Association had launched an investigation of Mr. Belli's comments.

In San Francisco, American Bar Association President Walter C. Craig of Phoenix, Ariz., said Mr. Belli's "unrestrained comments" were a "flagrant disregard of the code of professional ethics and his oath as an attorney."

Mr. Craig said many unethical conduct complaints about Mr. Belli's remarks "a discredit to him and to his profession."

Firing of Mr. Belli came as a surprise to the other members of the team — attorneys Burleson and Tonahill.

Mr. Tonahill, who told The Times Herald he was "surprised" to hear of the family's decision to fire Mr. Belli, said he had no plans to quit the case.

"I am going to stay on the case because I have a written agreement with Jack to fight it to the Supreme Court if necessary," the Jasper lawyer said.

He said he was surprised because "just last Monday we (lawyers Belli, Burleson and Tonahill) spent several hours with Jack and later a long time with his family going over problems in the case and everything was harmonious."

"I think it's bad under the circumstances to change counsel at this time and it won't help Jack," said Mr. Tonahill. "Melvin Belli is the greatest defense lawyer on medical testimony I've seen in 25 years as a practicing attorney."

Mr. Tonahill declined to comment on the Ruby case.

"I will express my feelings on the trial in the form of briefs for a motion for a new trial and on the appeal motion," Mr. Tonahill said. "By outlining the reversible error in the trial in the form of legal motions, I think the defense can best express its opinion."

Was Ruby Trial Kangaroo Court?

By Marquis Childs **A 20**

HOW DIFFICULT is the assignment of the President's commission to investigate the assassination of President Kennedy becomes painfully clear. It is hardly less than to restore confidence in the American judicial process at home and more particularly abroad.

The all-Protestant jury that found Jack Ruby guilty of the murder of Lee Harvey Oswald, the President's alleged assassin, and sentenced him to die did not serve this end. Too many questions remain unanswered after all the extensive press coverage of the Ruby trial.

There has been no satisfactory official explanation of the confusion bordering on chaos that gave a hanger-on on the fringes of crime and corruption of the type of Ruby an opportunity to shoot Oswald. While the shock of this act cannot be compared with that following the assassination of the President, nevertheless it compounded the sense of lynch law and the perversion, if not the nullification, of justice.

The final scene in the Ruby courtroom was a shocker. Judge Joe B. Brown had apparently wanted the entire trial televised. It was the influence of the American Bar Association that deterred him. But when he let the TV cameras in for the reading of the verdict the lid was off.

MANY WHO saw that final scene, including members of the President's commission, were appalled. It had the look of a kangaroo court. The situation was ready-made for Ruby's attorney, Melvin M. Belli, who railed against Dallas justice and the city of Dallas. He is now suggesting that Ruby be given a special guard to insure against his murder in the Dallas jail. That would be the last straw.

Whether all doubt and suspicion can be allayed by the report of the commission is questionable. Newspapers and magazines in Western Europe have poured out long narratives of the assassination, ranging from supposedly circumstantial accounts of an inside plot in which Ruby was an active participant to lurid accounts of sinister underworld figures controlling the courts and the police.

Partly this has been a vent for anti-Americanism which takes many forms in Europe today as reviving nationalism chafes against America's power. Partly it can be put down to Communist inspiration welcoming a chance to discredit the United States. But there can be little doubt about how deep-seated the suspicion is. To dispel it the commission's report must supply the answers, insofar as this can be done, to all the tangled uncertainties now clouding the air.

Serious European critics have fastened on the unfortunate habit of leaks and counter-leaks emanating from the FBI, the Dallas police and other sources. In the immediate aftermath of the tragedy this seemed to fix the inescapable guilt on Oswald, who had no opportunity to try to prove his innocence. Even before Oswald's murder the Dallas police were saying the case was already closed.

The magnitude of the commission's task in trying to put together every last piece of evidence can hardly be exaggerated. And conscientious members of the staff and the commission itself are haunted by a nightmare, such as, the report is completed, it is locked up in printed proofs and the release date announced; then a new and dramatic piece of evidence comes to light that invalidates the conclusions in the report.

THE INQUIRY has been retarded by the Ruby trial. Even though testimony taken in Dallas might not touch Ruby at all, an on-the-spot investigation was considered improper so long as the case was before the court. It is not excluded that the commission will itself go to Dallas. But the likelihood is that staff members will take evidence there.

A grave handicap has been the fact that most of the commission members have overriding outside interests that take them away from the hearing room as important testimony is being heard. Congressional members are frequently called away to answer roll calls in the Senate and House.

Chief Justice Earl Warren, prevailed upon by the President to be chairman of the commission, is giving every possible moment of his time to the inquiry. His original hope had been that the myths growing up in the wake of the tragedy could be dispelled by a clear, forthright recital of all the facts. He must continue at the same time to carry the burden of the Chief Justiceship.

Belli in railing against Dallas wanted to put the blame on bigotry and hatred for the Ruby conviction. But it is well to understand that Dallas is a mirror, if a distorted mirror, of justice in the Nation.

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The Washington Post and Times Herald **A 20**
The Washington Daily News _____
The Evening Star _____
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New York Journal-American _____
New York Mirror _____
New York Daily News _____
New York Post _____
The New York Times _____
The Worker _____
The New Leader _____
The Wall Street Journal _____
The National Observer _____
People's World _____
Date _____

44-24016-17
MAR 18 1964
NOT RECORDED
128 MAR 24 1964

53 MAR 25 1964

People in the News..3

YOU CAN'T BUY a drink in Salt Lake City but a pigeon can get drunk for nothing and plenty of them will, if plans now being finalized are put into operation there. Grain soaked in alcohol is to be placed in strategic spots so the birds will become "incapacitated" says ALDEN CARDWELL of the city's Board of Health. Then they can be easily captured and disposed of." Hic!

"I guess you could say we beat it to death," quipped Rep. THOMAS WHINERY chairman of the Michigan House Judiciary Committee which killed a bill calling for juvenile lawbreakers to be publicly whipped for their misdeeds. Rep. ARTHUR LAW, who introduced the bill, asked that the whippings be administered by parents or policemen.

MAURICE MELFORD, president of the National Epilepsy League, is planning a national conference to study medical and legal implications of epilepsy introduced in the JACK RUBY trial in Dallas. The meeting will take place in Chicago.

HARVEY S. FIRESTONE, has been re-elected na-

tional chairman of the United Service Organizations. In a report summarizing the 1963 activities of the USO, Mr. Firestone said members of the Armed Forces made "20 million visits to USO clubs and facilities during the year, an average of more than one and half million a month."

SOL HUROK New York theatre impresario, wants a change in plans for the proposed Washington, D.C. Kennedy Center for Performing Arts, to give it a bigger opera house. Instead of having a theatre, opera house and symphony hall under one roof, Mr. Hurok suggests moving the theatre downtown or away from the Center. He maintains a "bigger opera house is needed to break even financially."

The East German Communist Party newspaper, "Neues Deutschland" says the trial of Jack Ruby was "fixed" to keep hidden the facts about the assassination of PRES. IDENT KENNEDY. It described District Attorney HENRY WADE as an FBI agent; said defense lawyer, MELVIN BELLI cooperated with the FBI and attacked JUDGE JOE BROWN as "too old."



HARVEY FIRESTONE JR.

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The Washington Post and Times Herald _____
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The Evening Star _____
New York Herald Tribune _____
New York Journal-American 26 _____
New York Mirror _____
New York Daily News _____
New York Post _____
The New York Times _____
The Worker _____
The New Leader _____
The Wall Street Journal _____
The National Observer _____
People's World _____
Date _____

NOT RECORDED
128 MAR 21 1964

53 MAR 25 1964

MAR 18 1964

★
 "There is no desire on the part of the people of Northern Ireland to break away from the United Kingdom" declares Prime Minister **TERENCE O'NEILL**. Arriving in Toronto for a two-day visit Mr. O'Neill said also: "the people were loyal to the crown when North Ireland was created and still are."



TAMMY GRIMES

★
JAMES DOWLING had the luck of the Irish on his 33rd birthday—also St. Patrick's—bowled a perfect 300 game in a City Bowling League match at Utica.

tal in "a state of nervous exhaustion." A spokesman said Miss Grimes, was admitted Sunday night and was in "satisfactory condition."



CONRAD HILTON

SOL HUROK

MAYOR DALEY

There's a big bout on between the Internal Revenue Service and hotel mogul **CONRAD HILTON**. At issue is some \$27 million the IRS says Mr. Hilton owes in taxes dating back to 1957. The Hilton lawyers claim their client has not been credited with depreciation and capital gains allowances he was entitled to in three airplane and airplane parts ventures in the 1957-'61 period. The lawyers have asked for a trial in Los Angeles.

Gov. **ROCKEFELLER** and Gov. **RICHARD J. DALEY** of Chicago are on the Custom Tailors Guild list of America's ten "better dressed" men of the year. Four of those chosen live in Chicago—which also houses the Customs Tailors Guild!

★
TAMMY GRIMES, star of the pre-Broadway musical "High Spirits", is in Philadelphia's Hannemann Hospi-

★
 Connecticut has between 500 and 1,000 drug addicts, State Health Commr. **FRANKLIN M. FOOTE** said in a hearing of the Legislative Council at Hartford. The number of users, if added to the addicts, would bring the total to more than 4,000. **TERRY P. CARSHAW**, chief probation officer added.

ON THE LINE:

A Real Funny Hangerman 13

By BOB CONSIDINE

DALLAS: St. Patrick's Day in Dallas came a little early this year. The bands formed and the pretty Irish lassies in their riding pants moved their fiery steeds into position last Saturday. It was a beautiful day in Dallas and the parade, small but lively, swirled past the Criminal Courts Building where Jack Ruby was about to hear himself sentenced to death in the electric chair.



CONSIDINE

Bill Alexander, the prosecutor whose rasping demands in the course of his summation of the night before would soon be dutifully answered by the jury, was relaxing in the corridor outside the televised courtroom. The swirl of distant bagpipes hit his ears and an odd look—a defense attorney called it the look of a tarantula—seized his eyes.

"Don't you think we're pressing our luck in Dallas having a parade for another Irishman?" he asked.

Fun-loving Bill had some other goodies that day. Before the verdict he said, in effect, that if the defense was so interested in what went on in Ruby's brain, he'd be happy to deliver it to them, after the electrocution. As the reporters moved down Camera Alley, the customary route used by jail-breakers, en route to Judge Brown's court to hear the verdict, Bill stretched his neckle out at arm's length over his head and made like a hanged man.

Bill makes Mort Sahl and Lennie Bruce seem hilarious. He brightens every courtroom he leaves.

* * *

PHOTOGRAPHER Bob Jackson, who took one of the close-up pictures of Ruby shooting Oswald in the basement of Dallas Police Headquarters, stepped across the street outside the courthouse just after the verdict—to

get a wide-angle shot. He was nearly run down.

A busy little Volkswagen gave him two beeps and sailed by, missing him. Bob looked at the driver. She nodded in a friendly manner.

It was Mrs. Marguerite Oswald, mother of the man whose murderer had just been dealt with.

* * *

FORGOTTEN FACT of the Ruby case: If he had been on trial primarily as a man who avenged the slaying of a cop-killer, it's possible he would have come under much lighter fire from the District Attorney's office. Oswald killed Officer J. D. Tippit in front of several witnesses, who identified him positively within a short time. The Warren Commission may take another six months or a year to identify Oswald as President Kennedy's assassin, formally.

* * *

FIRST MEMBERS of the cast of characters to leave the scene of the Ruby trial were the pickets, who had been in daily attendance for a couple of weeks. Their placards denounced sin and psychiatry. They would follow Mel Belli to his luncheon, picket the place where he was eating, and march him back to court each day.

They simply floated away, as if airborne on their placards. One wondered when they'd next appear.

* * *

SOMEONE SUGGESTS that the second Ruby trial, after the State Supreme Court reverses this one, will be held in a small courtroom in the same building, will be attended by local police reporters, and feature the courtroom histrionics of Frank Watts, the pint-sized Assistant D.A., and gigantic Joe Tonahill, the mastodon from Jasper, Texas. The climax of the trial will be when Joe faints, falls on Watts, crushes him and causes a mistrial.

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EUROPE SUSPICIOUS

Ruby Verdict Fails To Convince Skeptics

By CROSBY S. NOYES

Foreign Correspondent of the Star

PARIS, Mar. 17.—The one absolute certainty about the conviction of Jack Ruby in Dallas is that it will do nothing to lessen the galloping suspicion in Europe over the assassination of President Kennedy.

This skepticism has now reached the stage of detailed reconstructions, all tending to prove that Lee Harvey Oswald was not, in fact, the President's assassin. Nothing that came out in the course of the Ruby trial is likely to shake the almost universal belief in a sinister plot to hide the real culprits.

Not Anti-American

Indeed, the reporting of the Ruby trial in Europe has served to strengthen these suspicions. In almost every story there were hints that the real motive behind the killing of Oswald was being deliberately concealed by both sides. The two main objections to the death sentence handed down by the Dallas jury is that Ruby's ex-

ecution would prevent the truth from ever being revealed.

It is possible, of course, to shrug off this European reaction as the result of a natural affinity for conspiratorial explanations. In some cases, perhaps, there is political motivation in trying to disprove the guilt of a man with admitted Communist connections.

On the other hand, there is not much anti-Americanism, as such, behind European doubts. If the same sequence of events had happened in France, it is safe to say that everyone would have assumed the existence of a political motive for the crimes and resisted just as firmly an official explanation of two unrelated personal acts.

There is some question, in fact, whether the skepticism of Europe or lack of it in the United States is the more remarkable phenomenon. Some of the questions raised by reconstructions published here of the President's assassination are disturbing enough to demand clearer answers than have been provided so far.

Finds Case Contradictory

Among the most recent of these is an article published by the London Spectator compiled by Mordecai Brienberg, a former Canadian Rhodes scholar and a lecturer in sociology at Berkeley, Calif. Reviewing the whole body of public evidence against Oswald from the time of the President's assassination until his own death in the Dallas police station, the author finds it inconsistent and contradictory on every vital point.

Pointing out discrepancies between statements by Dallas police and subsequent findings of the FBI, Mr. Brienberg argues that there is no evidence proving that Oswald fired the murder weapon. Doctors who examined the President's wound at Parkland Memorial Hospital were at first convinced that he had been struck by a bullet which entered his throat, indicating that it had been fired,

not from the warehouse where Oswald was stationed, but from railroad bridge ahead of the President's car. There are reports of a mysterious bullet hole seen in the windshield of the car after the shooting and a total of five bullets or bullet fragments recovered, against the official version of three shots fired by Oswald.

Oswald's escape and subsequent capture are subjected to the same skeptical scrutiny. The official version of the sequence of events, the author suggests, could hardly have taken place in the allotted time. And why, he asks, has no evidence been produced to back up the allegedly "water-tight case" of Oswald's killing of Officer Tippit?

Agent for FBI or CIA

Like many other skeptics, Mr. Brienberg suggests that Oswald may have been working for the FBI or CIA, citing the ease with which he obtained passport and travel funds for his trip to Mexico. The fact that he was not under surveillance, in spite of being a known Communist sympathizer, is considered significant. Mr. Brienberg concludes:

"It might be agreed in defense of the investigating agencies that in the atmosphere of excitement that followed Mr. Kennedy's assassination contradictions and imprecisions were due to 'honest' confusion. Granted that confusion existed, why, then, should the officials be continuously certain of one thing: 'Oswald's guilt! Why is Oswald's presumed guilt the constant in this sea of incomplete and conflicting evidence?'"

"Now, supposedly, the confusions have been clarified into a single, consistent and convincing account. But if the case is convincing and consistent, why should the witnesses refuse to comment to the press after they have been questioned by the FBI?"

Ingenious Theory

Mr. Brienberg's questions and conclusions, it must be emphasized, are relatively conservative in comparison to those of some other European-based analysts of the Ruby affair. The prize for boldness and ingenuity undoubtedly goes to the Paris liberal weekly "Le

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Express," which for the last five weeks has run a highly dramatic series on "The Real Report on the Assassination," written by Thomas Buchanan, a former American newspaperman.

Mr. Buchanan, who now works in Paris as an electronics expert, has fashioned an elaborate reconstruction, charging that the real assassins were members of the Dallas Police

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who made use of Oswald as an accomplice and convenient fall guy for the crime. He also raises the possibility that Oswald may have been acting as a double agent, pointing out the improbability of a known former Communist being employed by the city administration of Dallas. In this matter, Mr. Buchanan speaks with considerable authority, since he was himself a member of the American Communist Party between 1948 and 1956.

Editor's View

When the fact was brought to the attention of Jean Jacques Servan Schreiber, editor of the Express, by this reporter, he replied as follows:

"The fact that Thomas Buchanan may or may not have been a member of the Communist Party interests me only slightly. Either what he says is true or else certain elements of his presentation are false. This is all that concerns me.

"What interests us in all of this is obviously the truth. America has nothing to fear from the truth which, on the contrary, is its quality and its strength. As long as the assassination of Kennedy remains surrounded by mystery, many people in the world will draw painful conclusions and will continue to believe that there are complicities which one dares not expose. The truth, therefore, must be established beyond doubt.

"I fail to understand why so many ordinarily very lucid Americans considered as an attack on the prestige of the United States the slightest incredulity in regard to the official thesis on the assassination when this thesis, at least in our present state of knowledge, is improbable."

Since the Express is a determinedly liberal publication and since there are many perfectly respectable former Communists in France, this reaction is not surprising. Whatever validity various "reconstructions" may have, there are clearly many questions that remain to be answered. The conclusion of the Ruby trial though it does not resolve them, would seem to remove any further justification for official secrecy.

Ruby's Conviction

If errors were committed in the trial and conviction of Jack Ruby one may be sure that they will be remedied in the appellate courts—even if this means that Ruby must be tried again.

For our part, we are not impressed by the anguished outcries of defense attorneys. Melvin Belli, chief defense counsel, assailed Judge Joe B. Brown's charge to the jury in these terms: "It's un-American, un-Texan and unsanitary." For good measure, his assistant, Joe H. Tonahill, added that "it's cold blooded." Whatever the import of this, it does not go to the correctness, legal or otherwise, of the charge. If the judge erred the higher courts will say so.

We should also think the appellate judges will want to take a long look at the report that one of the jurors, prior to being chosen, had told his employer he would vote for the death penalty if selected to serve on the jury. Judge Brown said he had "heard something about that," and this, though rumors abound at such a trial, might well have prompted him to call the juror in for questioning. Certainly, if the man had made up his mind in advance, he had no business serving on the jury and this could mean that Ruby, as a matter of law, did not get a fair trial.

Also, there is room for doubt as to whether Ruby was or was not of sound mind. Under the District's Durham rule, it is quite conceivable that he would have been found not guilty because he was suffering from a mental disease or defect. If so, he might have been released after spending a few years in a mental hospital. But the Texas insanity law is different, and the jury may have been justified in rejecting the evidence offered on this point by the defense.

The climax to this extraordinary trial came with the televising of the uproar in the courtroom after the jury had announced its verdict. This is believed to be the first time that national televising of such a courtroom scene has been permitted. It ought to be the last.

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Ruby in Cell Still Gets 'Maximum Security'

DALLAS, Mar. 16 (AP).—Jack Ruby remained alone in a jail cell today while his attorneys prepared to appeal the verdict of a Dallas jury which sentenced him to death for murder.

"Maximum security" surrounds Ruby, Sheriff Bill Decker said.

But Ruby's attorney, Melvin Belli, said he is worried about a possible attempt on Ruby's life and has asked for extra protection for him.

Guards Near Ruby

"Later on," Sheriff Decker said, "when he has adjusted to the jolt of the verdict, he probably will be put in a large cell with other prisoners. He's had maximum security from the beginning and he will continue to have it in jail."

Dallas authorities refused to "dignify by comment" a statement Mr. Belli has made sev-

eral times since Ruby was convicted Saturday morning of killing Lee Harvey Oswald, accused assassin of President John F. Kennedy.

The attorney said: "Ruby is worried, and so am I, that they may slip someone into his cell—another prisoner—with a shiv (knife) in order to prevent our appeal. Then they would make it appear as a suicide and this vicious city would have him off their hands."

Throughout the 23-day trial, three guards sat near Ruby in court—so near, in fact, that Mr. Belli once protested they were listening to his conversations with Ruby.

On Saturday, before the verdict was read, Sheriff Decker put three more in the front row of seats.

"I haven't gambled since they brought Ruby here," the sheriff said, "and I'm certainly not

going to gamble today."

Mr. Belli continued to rage against the "Dallas oligarchy" and insist that Ruby was "rail-roaded."

Can Ask New Trial

Ten days ago Mr. Belli told the Associated Press, "The Dallas oligarchy has ordered Ruby's execution. You'll see."

In Texas, the jury fixes the penalty. For murder, punishment ranges from two years imprisonment, suspended, to death in the electric chair.

Ruby's lawyers can take the first step toward an appeal by asking Judge Joe B. Brown for a new trial. They have 10 days to file.

The next step would be to the Texas Criminal Court of Appeals within 90 days.

A "full bill of exceptions" to Judge Brown's rulings during Belli said. The defense filed 139 the trial is being prepared, Mr. exceptions to Brown's charge to the jury.

In a radio interview yesterday Mr. Belli said, "it will be six months before we get through the Court of Appeals. It will be good to sit in a quiet chamber and talk some law again. It will be the first time a law book was looked at in Ruby's trial."

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BELLI FEARS FOR CLIENT'S LIFE

Ruby's World Today: A Windowless Cell

By BOB CONSIDINE

Special to N. Y. Journal-American

DALLAS, March 16.—Jack Ruby was just another man with a number today. There will be no court in the morning, no baleful TV lights, no explosion of flash bulbs, no juror's face to scan with his darting little birdlike eyes, in search of compassion.

Ruby's world now is his green, windowless cell. Its only "chair" is the seatless commode in the corner. A jailer brought him a razor and stood at his side as he shaved, ready to pounce on him if he made the least motion that hinted of attempted suicide.

CITES SECURITY

Sheriff Bill Decker said "maximum security" surrounds Ruby.

But Melvin Belli, Ruby's attorney, said he fears a possible attempt on Ruby's life and has asked for more protection for him.

Sheriff Decker said, "When he has adjusted to the shock of the verdict, he may be put in a large cell with others. He's had maximum security from

the beginning and he will continue to have it."

Authorities refused to comment on a statement Mr. Belli has made several times since Ruby was convicted Saturday morning of killing Lee Harvey Oswald, accused assassin of President Kennedy.

FAIR TRIAL?

"Ruby is worried," Mr. Belli said, and so am I, that they may slip someone into his cell—another prisoner—with a shiv (knife) in order to prevent our appeal. Then they would make it appear a suicide and this vicious city would have him off their hands."

Ruby was visited by his sisters and brothers. They brought him the only two

articles he is permitted to receive: powdered coffee and shaving cream.

Did he get a fair trial?

The consensus around Dallas today is that he did. A slightly smaller percentage appears to believe that death in the electric chair is a proper punishment for the man who killed Oswald, saluted by the prosecution as "an American citizen who loved life just as dearly as any of us."

SPEED OF VERDICT

A few Dallasites expressed shock at the enormity of the verdict. Nobody seemed to be very much bothered by the aspect that hit the visiting press the hardest: The 139 minutes it took the jury to elect a foreman and agree to hand down the death penalty without asking to see any of the evidence or exhibits.

What are his chances for a reversal?

Melvin Belli maintains that they are excellent. The San Franciscan who assigned Dallas to Gehenna in the immediate wake of the verdict is sure Judge Joe B. Brown committed at least 30 reversible errors.

His associates, Joe Tonahill and Jim Burleson are less sure of that, or more knowing of Texas law.

"Let's get along to something else."

"SPREADING VENOM"

Mr. Belli spent yesterday in Dallas "spreading venom," as he said. Today he flies to Austin to begin the appeal process at the Court of Criminal Appeals.

The Ruby family cannot afford the expense of the kind of appealing Belli speaks of—appeals right up to the Supreme Court.

Indeed, it will have trouble paying for the first Ruby trial. It will cost perhaps twice as

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much as the \$25,000 Ruby obtained by permitting his memoirs to be syndicated.

Was Ruby properly defended?

His first lawyer, a local barrister, does not think so and is writing a book entitled "How I Would Have Defended Jack Ruby."

Henry Wade, the District Attorney who now has won the death penalty in 25 consecutive murder trials (24 lost their appeals and went to the chair) says that Mr. Belli blundered when he put all of his eggs in a scientific basket.

WOULDN'T BUY IT

The jury wouldn't buy a defense based on words neither it nor the defendant could understand, Mr. Wade says. If he had been the defense lawyer?

"Well," He said yesterday, "I think I'd have made a pitch for mercy or leniency. The way they did it was to give the jury only two choices: Believe the man was insane just long enough to pull a trigger, or send him to the chair. You know what happened."

ON THE LINE:

Did Ruby Have a Chance?

By BOB CONSIDINE

DALLAS.—The jury in Dallas seemed excessively determined to kill the man who killed The Man.

Melvin Belli's homeric blasts against the city in general and the eight men and four women jurors in particular, must be assessed carefully. After all, he lost the case he had carefully and expensively built to save the seamy little exhibitionist from the ultimate sentence a jury can hand down.

But it seemed to this writer that Mr. Belli had something there when he charged, as he repeatedly did, that his man had no real chance in this particular city. Ruby's involved defense might not have worked anywhere else in Texas, to be sure. But there seemed to be less chance of its working in Dallas.

"Everybody knows Jack Ruby killed Lee Oswald," one of the prospective (and rejected) jurors nervously laughed during the long period of shaping up the jury box. "Everybody" knew, of course. It was the first murder on national television. Mr. Belli's point was that the man was sick, and he brought in some pretty impressive evidence that he was indeed some kind of a nut. The jury either couldn't understand the gobbledygook of scientific testimony or didn't wish to. Mr. Belli believes the latter is true: that the jury would have given its verdict when summations ended a little after one o'clock Saturday morning. "But it must have figured that that would be too much—even for Dallas," Mr. Belli bellowed in the wake of his disaster.

The jury seemed to have its mind made up, judging from its facial expressions, since early that morning. When it returned from breakfast we

noted that it seemed to be linked in happy rapport. Each noticed and commented to the juror next to him on a new haircut one of the young deputy sheriffs was sporting near the courthouse door. When they came into court, after two hours and 19 minutes of what was called deliberation, they all carefully avoided Ruby's eyes—which was the tipoff, as it had been since man first appointed man to take another man's life.

It was as inevitable as the fate of a steer in an abattoir. Yet, like a professional vegetarian, you wondered if something couldn't have been done about it. The "image" of Dallas as a law-abiding and particularly God-fearing community cannot have prospered by such a swift lowering of the boom on the balding skull of a guy whose greatest pride in life was carrying Barney Ross' bucket.

The two nice old ladies on the jury, the middle-aged one, and the attractive one who has six children ranging down in ages from 20 to 10, should have held up the verdict until at least after lunch. Or there must have at least a token request for a look at the pile of evidence. These people do not deserve all the harsh things Mr. Belli said of them. But if they thought that it was proper to order Ruby's death as swiftly and almost as brutally as Ruby ordered Oswald's they have only added to the city's unfortunate reputation as a place of quick and senseless vengeance.

The jury had been pictured as a most devout one. The first request of the first juror to the outside world was for a book of Dr. Billy Graham's letters. The second was for a phonograph player, and an album of religious hymns and songs. Yet that jury gave less actual time to ordering a man's life taken than it did to watching Lawrence Welk and Candid Camera.

It looked as if it just didn't want somebody named Ruby, who had hurt Big D, to loose up another weekend.

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Judge at Ruby's Trial Charges TV Networks Broke Agreement

By Lawrence Laurent
 Staff Reporter

Television cameras were present when Jack Ruby shot Lee Harvey Oswald last November and they were in the courtroom yesterday when a jury pronounced Ruby guilty.

But the television medium didn't entirely suit Judge Joe B. Brown. In a televised, post-verdict interview, Brown charged that the networks had violated an agreement. Brown said the cameras were supposed to be turned off after the verdict was announced.

Instead, cameras showed the milling reporters interviewing defense counsel Melvin Belli. He made references to a "kangaroo court."

Judge Brown told an obviously embarrassed television interviewer that he had gone to "an operator" (engineer) and told him to turn off the cameras.

Television executives have long fought against the American Bar Association's Canon 35. This is a recommendation that cameras and sound equipment not be permitted in courtrooms. Texas permits a judge to decide whether a trial can be broadcast.

Reporters on the scene did emphasize that Judge Brown had control of the audio equipment, from the bench. This control may have accounted for the networks' being unable to identify the voice of Belli, just after the jury had confirmed its unanimous verdict by a show of hands.

Belli began that he wished to thank the jury for a verdict of "bigotry . . ." and the sound was lost.

Later, the CBS television network telecast a video tape recording of the scene and identified the speaker as Belli.

The networks, obviously, used a "pool" arrangement inside the courtroom. Outside, where District Attorney Henry M. Wade and Judge Brown were interviewed, the networks had individual coverage. The scenes showed reporters jostling and shoving for good microphone positions.

Announcement that a verdict had been reached brought all three networks into action, shifting from regular programs to coverage in Dallas. About an hour elapsed before Judge Brown took his place in court.

One reporter wanted to know why Judge Brown had changed his mind about broadcasting his charge to the jury. The reporter suggested that the Judge had been influenced by the "Dallas oligarchy."

Judge Brown answered sharply that he had changed his mind, without advice from anyone.

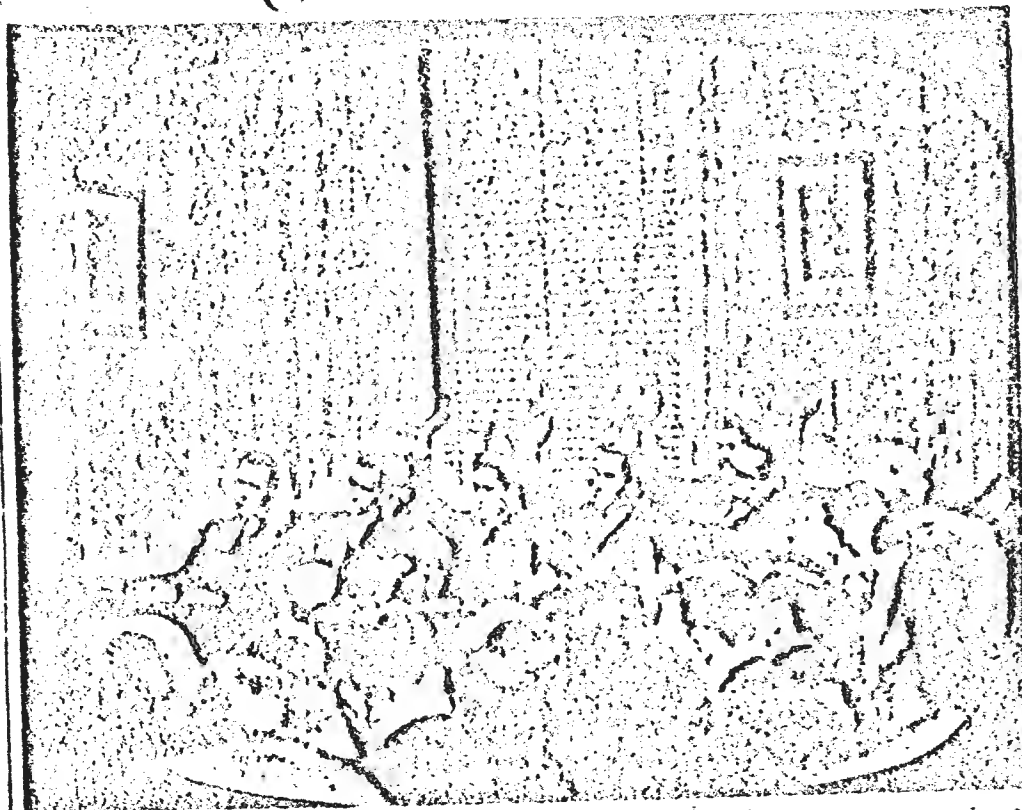
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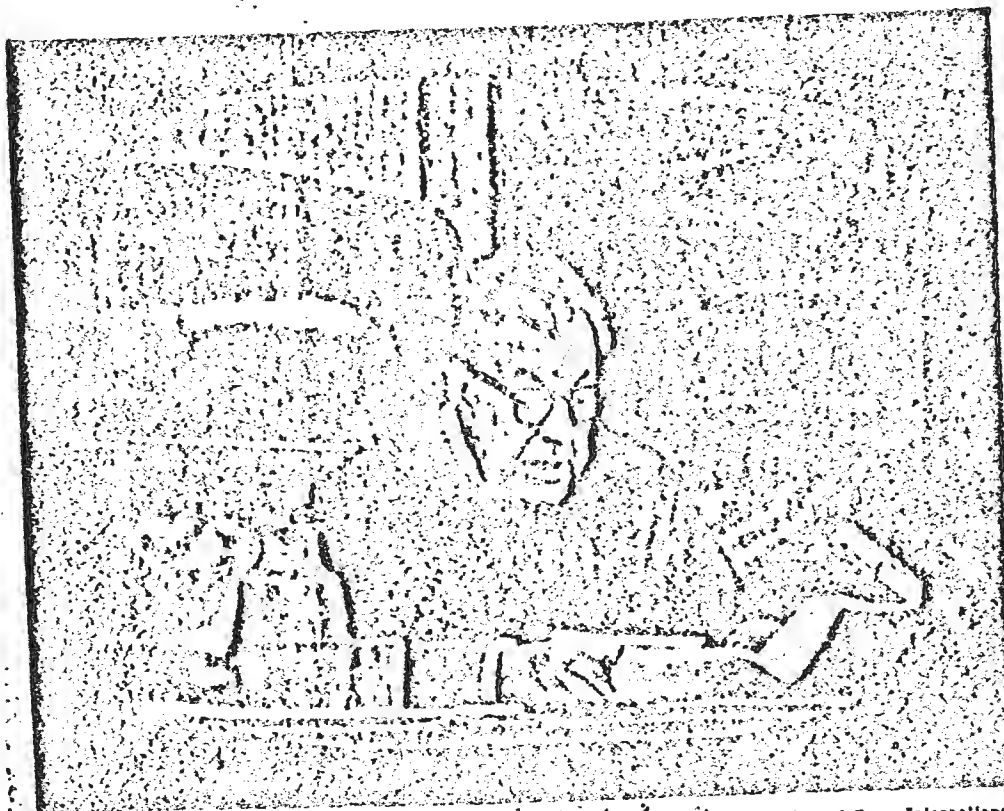
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United Press International

This is how television viewers saw members of the Ruby Jury raise their hands yesterday to signify they had voted the death penalty for Lee Oswald's slayer.



United Press International

Dallas Judge Joe B. Brown, as seen on CBS television, reads the Ruby Jury's verdict.

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Ruby Found Guilty, Sentenced to Death

Defense Assails 'Dallas Justice,' Plans Appeal

By Gene Blake
 The Los Angeles Times

DALLAS, March 14—Jack Ruby today was convicted of murder with malice and sentenced to death in the electric chair for the slaying of accused presidential assassin Lee Harvey Oswald.

The jury reached its verdict in only 2 hours and 19 minutes of deliberations, touching off a wild tirade by chief defense counsel Melvin Belli of California.

"This is a little bit of Russia in the United States," he shouted to newsmen who crowded around him. It lasted

for about 10 minutes, with District Judge Joe B. Brown ordered the courtroom cleared.

Ruby himself took the verdict calmly, with no apparent change in the blank expression he has worn throughout most of the four-week trial.

Defense to Appeal

Belli started his tirade while the jury, judge and defendant were still in their places and television cameras were trained on the scene.

"May I thank this jury for a victory," Belli boomed, rising to his feet. "Assure you I will appeal this verdict to a court where there is justice and due process of law."

Plaintiff's sheriff's deputies closed in around Ruby and hustled him quickly past the counsel table and out of the courtroom.

"Don't worry, Jack, we'll appeal this and take it out of Dallas," Belli assured the 52-year-old strip tease impresario as he was escorted out.

"May the record show it is now 12:20," Belli addressed the court reporter. "The jury started to deliberate this morning at 9 and reached the verdict at 11:30."

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Wade Thanks Jurors

District Attorney Henry Wade was brief and restrained in his comments.

"I just thanked them (the jurors) for what I thought was a fair and impartial verdict," the silver-haired prosecutor drawled.

The case was turned over to the jurors at 1:05 a.m. today after nearly five hours of closing arguments, but they retired to bed in their quarters atop the courthouse immediately.

After a walk to breakfast at a nearby restaurant—during which they passed the slain man's mother, Marguerite Oswald, with no sign of recognition from either side—the jurors returned to begin deliberations at 9:10 a.m.

Belli charged in his tirade to newsmen that one of the jurors had told his employer before the trial that if he got on the jury he would vote the death penalty.

Asked about this later, Judge Brown said he had heard about it.

"I didn't do anything about it," he said. "It was hearsay."

Belli, dressed for the occasion all in black, including a tieless black sport shirt, was completely unrestrained in his bitter reaction to the verdict.

"Do you believe now that there is justice in Dallas" he began, before the converging television cameramen could get in position.

"You fellows who have been here five weeks have seen a little bit of Russia in the United States. You have a pretty good impression of one of the sore spots."

"Judge Brown went down the line for every motion the District Attorney made. It led to 30 reversible errors that any law student would recognize."

Associate defense counsel Joe H. Tonahill, 6-foot, 4-inch, 250-pound lawyer from Jasper, Tex., added a cryptic comment.

"It was a violent miscarriage of justice," he said.

Belli said he was going to visit Ruby, then start work on the appeal "forthwith — today."

At that point Judge Brown, who was in an anteroom but couldn't miss the hubbub, ordered it halted and Sheriff Bill Decker cleared the courtroom.

Ruby will remain in the county jail here pending an appeal. Defense attorneys indicated that the first step will be taken next week with a motion for a new trial.

If that motion is denied, an appeal of Ruby's conviction would have to start in the Texas Court of Criminal Appeals.

Should the appeals court rule against Ruby, the appeal route in State courts would be exhausted and his attorneys would then have to turn to the 5th U.S. Circuit Court of Appeals in New Orleans. From there, they could appeal to the United States Supreme Court.

After visiting Ruby in the jail, Belli reported:

"He is surprisingly calm. He is surprised that some of the police officers he thought were his friends turned against him on the witness stand."

It was at 11:35 a.m. that a rap came on the jury deliberation door.

Bailiff Bo Mabra unlocked the door. Max E. Causey, 33, the first juror chosen and locked up more than three weeks ago, was standing there in his role as foreman.

"We have a verdict," Causey said.

It took nearly 45 minutes to round up everyone, with Belli first on the scene. Wade and his assistants, Jim Bowie, William Alexander and Frank Watts, were next, followed by Tonahill and defense attorney Phil Burleson.

With the latter came Ruby's brother Earl, his sister, Eileen Kaminsky, and his roommate, George Senator. Another sister, Eva Grant, did not appear.

Judge Brown took the bench at 12:19 p.m. and Ruby was brought in under the eyes of television and newsreel cameras.

"I am about to receive a verdict in the case styled State of Texas vs. Jack Ruby," the Judge announced.

"I want no sort of demonstration, no sounds, no gesture of any kind. Bring the jury in."

"When I finish everyone will remain seated until I officially discharge the jury."

Solemn-faced, the jurors filed in at 12:22 and took their seats.

"Ladies and gentlemen of the jury, you have reached a verdict?" Judge Brown asked.

"We have," they nodded in assent, and Foreman Causey handed the form to Bailiff Mabra. The bailiff handed it to Judge Brown.

"We, the jury," the Judge read, "find the defendant guilty of murder with malice, as charged in the indictment, and assess his punishment at death. Signed, Max E. Causey, Foreman."

"So say you all?" the Judge asked the jurors. "Will you raise your right hands if this is your verdict?"

All did, and the Judge discharged the jurors, each to be taken home with an escort to avoid questioners — at their own request. But they did not quite escape the beginning of Belli's tirade.

Thus did the Jack Ruby case end in the glare of television and the spotlight of the world, just as it began two days after the assassination of President Kennedy when the accused assassin was gunned down in the basement of City Hall.



United Press International

Jack Ruby leaves Dallas courtroom after hearing death-penalty verdict of the jury

Belli Sees in Verdict A 'Little Bit of Russia'

By James Mangan A-11

DALLAS, March 14 (AP) — Defense attorney Melvin Belli was furious when the death penalty was assessed against Jack Ruby today. He said angrily he would stop practicing law if he didn't get the verdict reversed.

About the tumult of the courtroom, he shouted:

"This was a kangaroo trial. I hope the people of Dallas are proud of this jury that was rammed down our throats. This is the most shocking thing I have seen in my lifetime.

"Do you believe this is part of the United States? We have seen a little bit of Russia here."

Claims 30 Key Errors

He said there were 30 reversible errors committed during the trial, and that he intended to appeal without delay.

Belli was especially angered at the city of Dallas.

Gesturing strongly, he shouted:

"This is one of the sore spots in America. The festering sore that is Dallas is now the most shocking place in the Nation. If this venom spreads, then God help us all."

Belli charged the state with wanting a verdict regardless of due process of the law.

He said presiding Judge Joe B. Brown "went down the line" with the prosecution.

Belli said Judge Brown failed to take action even when informed that one of the jurors had been overheard before the trial saying he would give Ruby the death penalty if he were chosen as a juror.

Belli, normally carefully and nattily dressed, appeared in court for the verdict wearing a black polo shirt under a black sport coat.

Joe Tonahill, the No. 2 defense attorney, looked somber after hearing the verdict.

"It is a violent miscarriage of justice," he said.

Testimony Ineffective

Belli was especially bitter that the psychiatric testimony presented by the defense had not been effective.

"They disregarded every bit of the psychiatric testimony," he told newsmen angrily.

He also was disturbed by the late court session that lasted until 1:05 a.m. today.

"Even in the heart of darkest Africa you would not argue a man's life at midnight," he said, adding that fatigue had prevented him from making an adequate closing argument.

He heaped scorn on the jurors for the short period of deliberation, and contended that they had made up their minds before they started.

"Two hours on a case like this!" he exclaimed. "What kind of a city do you think this is? This is a blight on Dallas that will make this place a city of shame forever."

Before the verdict was announced, Belli said that there was no chance of getting a fair decision.

An acquittal, he said, would show that the jury had been forced to bend over backwards against pressure to reach an honest verdict.

Conviction, he said, would show the jurors followed what he called the dictates of the business rulers of Dallas.

When the decision came in, he called it a "victory for bigotry."

Tolson _____
Belmont _____
Mohr _____
Casper _____
Callahan _____
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Evans _____
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Rosen _____
Sullivan _____
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The Washington Daily News _____
The Evening Star _____
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United Press International

Prosecutor Henry Wade

Defense Lawyer Melvin Belli

opposing counsel in Jack Ruby trial talk to newsmen after the verdict.

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(Mount Clipping in Space Below)

Ruby Draws Death Penalty; Belli Flays Jury's Verdict, Pledges Appeal Outside City

(Indicate page, name of newspaper, city and state.)

1 "The Dallas
Morning News"
Dallas, Texas

Date: 3-15-64
Edition:
Author:
Editor:
Title: Jack B. Krueger

Character:
or
Classification:
Submitting Office: Dallas

57 MAR 24 1964

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Defendant Stays Calm After Ruling

By CARL FREUND and HUGH AYNESWORTH

A jury stunned Jack Ruby Saturday with a verdict of death in the electric chair. And an enraged defense lawyer thundered that the decision shows "Dallas is a little bit of Russia in the United States."

The jury of eight men and four women ruled Ruby committed "murder with malice aforethought" when he fired a single shot from his Colt Cobra revolver into Lee Harvey Oswald, the Marxist accused of assassinating President Kennedy here.

Tense and nervous throughout his month-long trial, Ruby heard the verdict calmly. Some reporters thought he appeared "in a trance."

The packed, heavily guarded courtroom was deathly still as Judge Joe B. Brown began reading the verdict at 12:21 p.m.

"We, the jury, find the defendant guilty of murder with malice . . ."

Defendant's Eyes on Judge

Ruby's lips formed a thin line. He kept his eyes on Judge Brown as the black-robed jurist paused, then continued reading the verdict signed by jury foreman Max Causey.

" . . . and assess his punishment at death."

Ruby's eyes darted toward the jury, then back to Judge Brown.

Then, like the crack of a pistol, defense attorney Melvin Belli exploded with rage.

"May I thank this jury for a victory for bigotry," he roared. "You can rest assured we will appeal this to a court where there is justice. We will take it to a court outside Dallas."

Dist. Atty. Henry Wade, who was seated near the jury box, told jurors, "You returned a fair verdict . . . a verdict justified by the evidence. The State of Texas thanks you."

Deputies formed a human shield around Ruby and rushed him from the courtroom seconds after the verdict was read.

"Don't worry, Jack, we'll appeal," Belli shouted.

Millions watched on television as Ruby shot Oswald in the City

Hall basement Nov. 24, two days after Kennedy's death. And millions watched on television as the jury said Ruby should pay with his life.

The all-white, all-Protestant jury deliberated 2 hours and 19 minutes before informing a bailiff at 11:34 a.m. that it had reached a verdict.

The case had gone to the jury at 1:07 a.m. after closing arguments in which prosecutors branded Ruby a "thrill killer" and defense attorneys pictured the striptease-club manager as an epilepsy victim who killed while "in a state of suspended consciousness."

Because of the late hour, jurors went to bed and did not begin deliberations until after breakfast.

They quickly rejected the defense contention that Ruby was temporarily insane. Then they turned to the question of the penalty he should pay for shooting a manacled man in police custody.

Not a 'Serious Disagreement'

Jurors said they "never had any serious disagreement."

The verdict represented a major victory for Wade and his weary assistants—William F. Alexander, Frank Watts and A. D. Jim Bowie. For Belli, the San Francisco lawyer known as the "King of Torts," it was a decisive defeat.

Television viewers witnessed a strange scene after Judge Brown left the courtroom.

Belli was shouting, "This is the most disgusting thing I have ever seen in my life. This is a disgrace to American law."

Photographers crawled atop the defense table as Belli became immersed in a wave of humanity.

"Get off the table! Get off the table!" a deputy shouted.

Belli had more to say about his opinion of the verdict—and of Dallas.

"Ruby was railroaded," he said. "This was a kangaroo court. This will be known as a city of shame forevermore. I hope Dallas is satisfied."

Belli charged that one juror, Allen McCoy, stated he wanted to get on the jury so he could "hang Ruby." McCoy said later he cannot recall having made such a statement.

Belli said he has "40 points of error" which will guarantee Ruby a new trial. The appeal could take as long as four years.

Wade said he is convinced higher courts will not set aside the verdict.

"Judge Brown was zealous in protecting Ruby's rights," Wade said.

Wade, who clashed repeatedly with Belli throughout the trial, said the defense might have saved Ruby from the electric chair by using different tactics.

"They never asked for mercy," Wade noted. "They staked everything on insanity, and they put up the weakest psychiatric defense I've ever seen."

Belli vowed to quit the practice of law if he does not win a new trial for Ruby.

Then, in a voice dripping with derision, Belli commented, "Big D . . . Big deal."

Walk Rigidly to Courtroom

Ruby's brother, Earl Ruby of Detroit, Mich., and a sister, Mrs. Eileen Kaminsky of Chicago, Ill., walked rigidly to the courtroom just four minutes before they heard their brother condemned.

Mrs. Kaminsky was noticeably upset. "It doesn't look good, does it?" she said to George Senator, Ruby's former roommate, as she and Earl Ruby sat beside him in the sixth row of spectators awaiting the verdict.

"I don't know," Senator said.

As the word "death" came from Judge Brown's lips, the sister cried quietly.

"Oh, oh, oh," she said repeatedly. Earl Ruby comforted her.

"I guess this proves we couldn't get a fair trial in this town," the sister said, addressing her remarks to nobody in particular.

"I feel terrible, terrible," Senator said.

Mrs. Eva Grant, a sister, and Sam Ruby, another brother, were not in the courtroom. Both are Dallas residents.

"Eva is too upset to be here today," Earl Ruby said.



—Dallas News Staff Photo by Jack Beers.

"Hi, Jack," says Jack Ruby to Dallas News photographer Jack Beers as the convicted slayer leaves the courtroom following the verdict in his trial.

It was Beers who took the picture of Ruby a split second before he shot Lee Harvey Oswald. With Ruby is Deputy Sheriff Luke Bockemuhl, right.



—Dallas News Staff Photo.

Belli, left, and Tonahill protest verdict
during post-trial interview.



—Dallas News Staff Photo.

Wade is surrounded by newspapermen,
radio and television reporters on steps of
Records Building.

Ruby May Live

Years Awaiting Appeals

Jack Ruby can look forward to months — probably years — of life even though jurors ruled Saturday that he should die in the electric chair for the murder of Lee Harvey Oswald.

As Judge Joe B. Brown read the death verdict, defense lawyer Melvin Belli shouted, "I assure you we will appeal . . ."

The appeal could go all the way to the U.S. Supreme Court. Defense lawyers had said earlier they would go there "if necessary."

Even if they eventually lose, the attorneys could delay Ruby's date with the electric chair as long as four years while going from court to court.

AN APPEAL IS A COMPLEX procedure with numerous channels open to the defense. Meanwhile, until there is a final life-or-death decision, Ruby will wait behind the bars of the Dallas County jail, or "Death Row" at Huntsville.

Ruby's lawyers can begin their new fight to save his life by asking Judge Brown to grant a new trial.

They must file a request for a new trial within 10 days. Then they have another 20 days in which to file a more detailed plea.

Then Judge Brown would set a date for arguments by prosecutors and defense lawyers.

IF JUDGE BROWN rejects the plea, Ruby's lawyers must turn to the Court of Criminal Appeals in Austin.

Normally, they have 30 days to prepare "bills of exception" stating reasons why they be-

lieve Ruby should get a new trial. Meanwhile, the court reporter prepares a typewritten record of testimony taken during the trial and sends it to the appeals court along with evidence considered by jurors.

Because of the length of Ruby's trial, which produced testimony by 66 witnesses, the appeals court may extend the time for preparing the documents.

Then a date for a hearing before the three judges of the appeals court, and the two commissioners who assist them, is set. A hearing in the Ruby case appears unlikely before October, since the State Constitution requires the appeals court to recess from July through September.

RUBY'S LAWYERS would probably argue among other complaints, that the 52-year-old slayer failed to get a fair trial because:

— Judge Brown refused to transfer the trial to another county despite their contention that Ruby could not get a fair trial here.

— Judge Brown refused to disqualify jurors who had watched television scenes of the shooting.

— Judge J. Frank Wilson substituted for Judge Brown when he became ill during selection of the jury.

Judge Brown allowed detectives to testify about statements they said Ruby made while under arrest.

— Judge Brown gave improper instructions on legal issues in the case to jurors before they began deliberating.

— Tight security measures in the courtroom prejudiced jurors.

DIST. ATTY. Henry Wade would probably argue that Ruby got a fair trial and the verdict should stand.

"I think Judge Brown was very zealous in protecting Ruby's rights," Wade told reporters after the verdict was announced.

If the appeals court refuses to grant a new trial, defense lawyers could file at least two motions for rehearing — requests that the jurists reconsider their decision. This would allow the defense to present new arguments.

Judges of the Court of Criminal Appeals rule primarily on points of law. They may set aside a conviction if convinced there was insufficient evidence to support it. But they do not substitute their judgment for that of jurors in ruling whether a penalty was proper.

The judges are especially deliberate in cases where the death penalty has been as-



—Associated Press Wirephoto.

Jack Ruby sits impassively as he hears Judge Joe B. Brown read the jury's verdict.

sessed. They may spend months studying legal points.

BELLI SAID HE WILL contend that there are at least 40 reasons why Ruby should get a new trial. Some are highly technical.

Another involves a "first" which will make legal history. It involves this question:

Is a juror qualified to serve in a murder case if he saw the actual slaying, on television?

The final decision from the Austin court may not come until 1965.

If the court sets aside the conviction, Ruby will stand trial

again — probably in another county.

If it rules he got a fair trial here, it will issue a document known as a mandate — an order directing Judge Brown to carry out the jury verdict.

DEPUTIES WOULD then bring Ruby from his county jail cell, and Judge Brown would set a date for the slayer to walk to the electric chair.

Sheriff Bill Decker's deputies would hustle Ruby to the State Penitentiary at Huntsville, where he would be confined in an isolated area known as "Death Row." He would spend his hours under heavy guard

in a cell only a few paces from the chair in which he had been sentenced to die.

He would be sure of at least one 30-day delay of the execution date. This delay is given every condemned prisoner as a matter of tradition.

Defense lawyers could request additional delays while asking federal courts to consider the case on grounds that Ruby's constitutional rights had been violated.

Customarily, a direct appeal to the U.S. Supreme Court is made. If it is rejected, defense lawyers go to a U.S. District Court and start back toward the Supreme Court.

If the federal courts also refused to grant a new trial, Ruby's lawyers could turn to the State Board of Pardons and Paroles and ask it to recommend that the governor change the sentence to life imprisonment.

THE GOVERNOR may grant clemency only upon recommendation of the board. Although not required to do so, governors have followed the board's recommendations in death penalty cases since the system was adopted in 1936.

The board has a rule that it will not retry a case on legal grounds, but will consider "general circumstances."

Defense lawyers could not appeal to the President. His clemency power is limited to federal cases.

If the federal courts and the pardons board rejected defense pleas, Ruby's lawyers would have one more avenue open.

They could ask a district judge to stop the execution on the ground that Ruby had become insane under the strain of awaiting his appointment with death.

State laws provide that no insane man shall be put to death.

Police Captain Welcomes End of Pressure in Dallas

A forgotten onlooker stood far away from the bedlam Saturday following the death penalty verdict in the Jack Ruby case.

While hundreds of news media men clamored about key figures in the courtroom drama, Will Fritz was ignored in the Criminal Courts Bldg. lobby.

The robbery detective captain of the Dallas police homicide bureau, who directed questioning of Lee Harvey Oswald, and was scant steps away when Oswald was shot by Jack Ruby, obviously was pleased at the outcome of the case.

"Maybe things will slow down for a little while," he smiled. "I guess they'll have 14 appeals—those lawyers still have a lot of work to do."

Fritz — the target of many pointed pens in days following the assassination—also obviously enjoyed the shift in the limelight to courtroom officials.

"They didn't need me in court," he said. "It would have just been duplication."

Another swarm of photographers rushed by en route to Judge Joe Brown or Melvin Belli.

"I may try to get a few days off now," Capt. Fritz said. "You know, I was just about to start my vacation in November."

"Yep, maybe things will slow down for a while."

The veteran captain looked healthier than he had for months.

★ JURY AGREED FROM FIRST

Jurors in the Jack Ruby murder case spent more than two hours deliberating the defendant's fate Saturday morning, but there apparently was little disagreement among the 12.

Courthouse sources told The Dallas News that the panel took no more than two ballots in setting the former strip-tease-club operator's sentence at death.

From the beginning, they agreed Ruby was sane when he shot Lee Harvey Oswald on Nov. 24, and now.

"There was no real disagreement. One juror apparently wasn't sold or unsold at the beginning on the death penalty and wanted to talk about it a little," a source said.



—Associated Press Wirephoto.

RUBY LEAVES COURTROOM

Jack Ruby, arrow, is escorted from the courtroom after being sentenced to death for the murder

of Lee Harvey Oswald. Judge Brown, who read the jury verdict, is still seated at the bench.

8

Jurors Pass Mrs. Oswald

As jurors in the Jack Ruby murder case were being escorted to breakfast Saturday, they passed within five feet of the mother of Ruby's victim.

Mrs. Marguerite Oswald, the mother of slain Lee Harvey Oswald, stood on the sidewalk as the jurors strolled to the Jefferson-Dallas Hotel.

No words were exchanged, said bailiff Bo Mabra.

Apparently Waymon Rose was the only juror who recognized her. "I'd seen her once in a photograph," he said.

Judge Brown Limits Security at Trial

Judge Joe B. Brown praised Sheriff Bill Decker and his deputies Saturday for the manner in which they maintained order and security in his court during the Jack Ruby murder trial.

"You did a tremendous job," the judge told them when he visited the sheriff's office after the trial ended.

MAYOR LIKEN'S BELLI, BOXER

Mayor Erik Jonsson, told that Melvin Belli had made some harsh comments about the city as a result of the Jack Ruby murder trial verdict, compared the defense attorney to a boxer.

"I didn't hear what he said," said Jonsson, "but it sounds to be like the cry of foul from a boxer who has been knocked out in the first round after claiming he would win in 15."

SUPREME COURT

Case May Break New Legal Ground

By ROBERT E. BASKIN

Washington Bureau of The News
WASHINGTON — Legal observers in Washington Saturday foresaw the possibility of interesting new interpretations of the Constitution in the event the Jack Ruby case is heard by the Supreme Court.

If the Texas Court of Criminal Appeals upholds the verdict of the Dallas trial jury, the case is certain to be appealed to the highest tribunal, as indicated by the statements of defense attorney Melvin Belli.

Any appeal to the Supreme Court must be based on federal constitutional questions.

The court in recent years has been broadening its interpretation of what constitutes such a question, and in the Ruby case it could conceivably broaden them still more.

IF THE APPEAL comes to the Supreme Court, the tribunal must decide whether it will take the case or not. If it refuses to issue a writ of certiorari, it will in effect affirm the decisions of lower courts and that will be the end of the matter.

If it issues a writ and accepts jurisdiction, the court will then receive briefs on the case and set it down for arguments. From there on, it can affirm the verdict, reverse it or perhaps issue a conditional reversal based on one or two issues involved in the case.

Attorney Belli has indicated that one question he might raise in an appeal is Dist. Judge Joe B. Brown's charge to the jury. Judge Brown did not acquaint the jury, according to the defense, with either the so-called "Durham Rule" or the legal doctrine of "irresistible impulse."

TEXAS COURTS have recognized neither.

The Durham Rule, which is recognized by federal courts in the District of Columbia, requires the prosecution to show that a crime was not the product of a disease or deficiency on the part of the defendant.

"It makes the prosecution prove a negative," a capital legal expert said. "It's a very difficult thing to do in many cases."

Texas adheres to the traditional "McNaughton Rule" on insanity, in which the defendant's knowledge of right and wrong and awareness of the nature and consequences of his acts are the considerations.

But many states couple this rule with the "irresistible impulse" doctrine in establishing the mental balance of a defendant.

IT IS POSSIBLE the Supreme Court might want to use the Ruby case to establish a new standard for cases in which insanity of any kind is the main issue.

Until recent years, the Supreme Court has held that the first 10 amendments to the federal Constitution—the Bill of Rights—pertained only to federal situations and cases. But lately it has been applying these amendments, a step at a time, to state cases.

The most recent example was the court's ruling that defendants in state courts are guaranteed the right to counsel by the federal Constitution. Previously, it had made similar rulings in state cases involving confessions and illegal searches.

THE COURT has never said, however, that the 10 amendments apply universally to the states and their judicial procedures. It is considered more likely that it will apply such a doctrine on a continuing piece-meal basis.

Any consideration of the Ruby case by the high court will undoubtedly be undertaken with Chief Justice Earl Warren sitting on the sidelines. As head of the special presidential commission investigating the assassination of President John F. Kennedy, he is certain to disqualify himself. In a close decision, this might be an important factor.

10

Juror 'Glad to Be Home'

By DON MULLSAP

"I'm very glad to be home," commented Mrs. Mildred McCollum Saturday afternoon as she enjoyed a happy reunion with her family and friends whom she had not seen for three weeks.

Mrs. McCollum, along with 11 other jurors in Judge Joe B. Brown's Criminal District Court, only a few hours earlier had sentenced Jack Ruby to death in the electric chair for the murder of accused presidential assassin Lee Harvey Oswald.

Although she would make no comments about the trial itself or on the jury's verdict or deliberation, Mrs. McCollum did talk freely with reporters about the long separation from the outside world.

"The worst part was not seeing any of my family or friends," said the 40-year-old mother of six children who chose not to use her family as a reason to be excused from jury duty.

"WE DIDN'T KNOW anything that was going on in the world outside the courthouse," she said.

She admitted that jurors got to see some part of the newspapers but mainly just "the funnies and the classified advertising section," because news of the trial was spread throughout other sections.

"They did let us watch some television. But a bailiff was always there to see that we turned the set off when the news came on," she said. "The only news we saw at all was a couple of weather forecasts."

Even without the news, jurors did not have free use of the television set.

"There were a lot of programs and old movies that they wouldn't let us see," she reported. "These were programs like The Defenders, Sam Benedict or Perry Mason which deal with court trials."

HOW DID JURORS spend their out-of-courtroom time?

"One man had a record player and we listened to plenty of mu-



—Dallas News Staff Photo.

Mrs. Mildred McCollum, center, talks with her family Saturday. With her are her daughter Marcia, 10, son Neal, 13, and Drexel McCollum.

sic," she said. "And we played cards, dominos and many other kinds of games."

Jurors who preferred to read, she said, were limited to selected books and magazines which had been carefully censored to eliminate any mention of the trial, Jack Ruby, chief defense counsel Melvin Belli, or the murder of President Kennedy.

"We were completely cut off from the outside world," Mrs. McCollum said again. "I didn't even know about the jailbreak until after the verdict had been read this morning."

(Seven prisoners created a near riot outside the courtroom Feb. 8 when they broke out of the Dallas County jail using a fake gun and razor blades. One was recaptured on the second floor near the courtroom, and another just outside the building moments later.)

Mrs. McCollum, who normally works as a bookkeeper-secretary for the Alabama Construction Co., said she hopes to

go through back issues of newspapers to read about the break and running accounts of the Ruby trial.

"I DID ACCOMPLISH one thing during the three weeks we were locked up," she said. "I managed to figure my income tax."

When asked about the jury deliberations Saturday morning, she replied: "I don't think I should make any comment about the trial."

"But it was interesting to listen to such famous doctors who testified."

The medical and psychiatric testimony created no problem for her. "I had no trouble understanding what they (the doctors) said. Oh, once in awhile they would use some words we didn't know, but they always took time to explain them," she reported.

Mrs. McCollum had high praise for her fellow jurists and bailiffs Nell Tyler and Bo Mabarra, saying, "I couldn't hope to

meet 11 nicer or more cooperative persons. Everyone got along well together. It just couldn't have been nicer."

AS SHE TALKED WITH reporters, her husband, Drexel McCollum who works as a machinist, added, "It's nice to have her home again. We got along fine, but not as well as we would with her here."

Mrs. McCollum admitted she was a little tired after Friday night's long session, but that she was most tired from "just sitting."

"I'm used to a more active life. We got plenty of rest at the courthouse, normally retiring about 10 p.m. unless there was a late movie we wanted to see."

What are her plans?
"I really don't know," she answered. "I haven't had a chance to talk with my family about it. I guess I will just try to find out what has been happening since I was selected as a juror."



—Associated Press Wirephoto.

JUDGE READS VERDICT

Judge Joe B. Brown reads the verdict handed him Saturday by jurors in the Jack Ruby murder trial. Jurors found Ruby guilty of murder with malice.

Kin of Ruby Says Its Unbelievable

The brother of Jack Ruby vowed on Tuesday when the trial was Saturday to appeal the Texas jury decision assessing a punishment of death in the electric chair, in for three weeks," said Earl. "He's a sick man, I tell you." Pacing back and forth in the waiting room of the Dallas County Jail, waiting to see his brother, Earl Ruby said money would be a problem for the appeal. "Never in my wildest imagining did I think they would do this to my brother," said Detroit dryer, Earl Ruby an hour after the sentence was delivered. "It is unbelievable."

A sister, Mrs. Eileen Kaminsky, defense fund," he said. "It cost a Chicago housewife, said Earl \$200—it brought in \$205. Ruby had told her that even if their brother was given a sentence he could be released on bond and given medical treatment. "Earl didn't even think about the death sentence," she said. "None of us did."

"Jack's a sick man—a sick man," said Earl. "He needs treatment. He shouldn't be in this jail." Earl said his brother asked him to appeal.

Tass Reports Verdict

MOSCOW (UPI) — Radio Moscow and the official news agency Tass Saturday night reported without comment that Jack Ruby had been sentenced to death for the murder of Lee Harvey Oswald and that Ruby's lawyers would appeal.

12-

Jurors Away or Mum

By DAN MARTIN

Jurors in the Jack Ruby murder trial weren't talking to the press Saturday.

Seven of the jurors apparently ~~were not~~ at home during the

afternoon. Their houses were quiet and appeared deserted.

Two of the jurors consented to talk to reporters, but declined to discuss events in the jury room which led up to the ver-

dict of death in the electric chair.

A daughter of Mrs. Louise Malone, 4432 San Carlos Drive, told reporters her mother had been instructed by Judge Joe B. Brown not to talk about the trial. The woman said her mother was not feeling well.

James E. Cunningham of 1314 Belaire, Richardson, withheld comment from everyone—even his wife.

"He won't even tell me about it," the pretty woman said. "There's one thing about him—he won't talk about it if he's not supposed to."

At the home of Mrs. Aileen B. Shields, 5706 Kenwood, reporters were told she would not talk to them.

The homes of Allen W. McCoy, 1518 Belmeade, Irving, and J. G. Holton Jr., 116 Music Way, Grand Prairie, were quiet and deserted.

A neighbor near Holton's small frame house said Mrs. Holton had left early Saturday afternoon. She indicated the family was not expected back during the day.

At McCoy's brick and frame home curtains were drawn and windows closed. A youth in short

pants said the family had left in their compact station wagon.

"They weren't dressed up," he said, "like maybe they were just going to the grocery store. I think they'll be back before long."

A long wait proved him wrong.

At the home of R. J. Flechtner, 318 Vinecrest, Richardson, all was quiet. Neighbors said the family was gone. A collector for a neighborhood Boy Scout waste paper drive said he had tried the home several times but received no response.

Neighbors said the Max E. Causey family of 710 Peach Tree in Garland had left for the day. Causey was foreman of the jury.

Circulars were sticking from doors at the homes of Mrs. Gwen English, 10078 San Lorenzo and Luther E. Dickerson, 1224 Edgemont, Mesquite. No one was home.

Drapes and blinds were drawn at the home of Douglas J. Sowell at 5716 Glen Forest Lane. No response came to knocks on the door.

Two jurors, Mrs. Mildred McCollum of 918 Briarwood Drive, Garland, and J. Waymon Rose, 3341 Springview, talked with reporters, but gave no details about the jury service.

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—Dallas News Staff Photo.

Everything was coming up Roses at 7132 Meadowcreek Saturday when Dad returned from jury duty. Behind

Mrs. Rose is 13-year-old Jim Rose. Others are 10-year-old David Rose and 5-year-old Donna Rose.

ROSE TIRED AFTER ORDEAL

Juror Tries for Shut-Eye, But Without Much Success

By KENT BIFFLE

Waymon Rose's bed at home is bigger than the room where he slept as a juror in the Jack Ruby trial.

And between telephone calls from reporters Saturday he was trying to get some shut-eye in it, without much success.

"I learned how to play four different kinds of solitaire," said the 41-year-old furniture dealer, taking a slug of his wife's coffee.

"That sure beats jailhouse coffee," he grinned.

He looked out the window at the budding trees and recalled telling Bailiff Bo Mabra about three weeks ago:

"I hope we come out before the trees do."

Rose is the kind of man who tends to meet life with a wink and a drollery.

When told that jurors are allowed just one beer with each meal, it was Rose who had playfully suggested:

"Let's go where they serve quarts."

But Rose made it clear he was no less aware of the deadly business they were about.

Mabra said it was Rose who gave the jurors a lift during idle periods. "You try to make the best of things. Rather than go stir crazy," said Rose.

The juror, in an interview at his home, 7132 Meadowcreek, admitted that the trial had been an ordeal. Isolation of jurors was complete. It was Friday before they learned of the county jail break a week earlier.

"We wouldn't have known then if it hadn't been mentioned in the courtroom," he said.

In communicating with his family by telephone, Rose, like other jurors, relayed his messages through Bailiff Mabra.

This resulted in conversation like:

... and Mrs. Rose, he says he still loves you."

Newspapers were thoroughly clipped of any Ruby trial news. Not much was left.

"I'll never complain again about the way my kids mess up the paper before I see it," said Rose.

He noted that newscasts and bulletins were switched off the television set in the jury dorm. Also switched off by the bailiff were TV court dramas. "Don't mention Perry Mason to me," said Rose.

Still Rose believes there is no other way to handle a jury in a criminal case. They must be isolated, he feels.

"I don't see how you could have an impartial jury otherwise."

Rose's willowy brunette wife had promised him steak and champagne for supper.

He didn't want to talk about the discussion leading up to the death verdict. The jurors agreed among themselves to present a unity of purpose, he indicated.

His 3-year-old daughter Donna hopped into his lap. She put her finger on her dad's brow, nose and chin and said, "Rooster, pullet, hen."

Then she returned her finger to his nose. "What was that?" Her dad said, "Pullet." She did.

Jack Ruby Quiet En Route to Jail

Jack Ruby "didn't utter a word" when Sheriff Bill Decker and four deputies rushed him to his cell Saturday after a jury ruled he must die in the electric chair.

The deputies—H. A. Bockemuhl, J. L. Oxford, R. J. Weaver and W. D. Walvoord—formed a human shield around the 52-year-old slayer.

"He didn't utter a word," Decker said later. "He didn't mention the verdict and we didn't say anything about it. We just wanted to get him out of the courtroom as quickly as possible."

Defense lawyer Melvin Belli, who went to the cell to comfort Ruby, said he found the slayer "calm and collected."

"He's a lot calmer than we are," the San Francisco lawyer said. "He mentioned how nice everybody in the county jail had been to him."

Belli's conclusion: "Jack didn't get the full impact of the verdict when he heard it. That's why he has been so calm."

But later, defense attorney Phil Burleson said Ruby told him, Belli and attorney Joe Tonnahill:

"Railroad, railroad, railroad job. . . I wonder how many other guys have been railroaded out of Dallas?"

Ruby spent a quiet Saturday afternoon and evening.

Jailer David A. English said Saturday night that Ruby appeared "very calm."

"He did seem to be tired from the mental strain, but I haven't noticed any real difference in his appearance," English said.

The jailer said Ruby's visitors included his two sisters, Mrs. Eva Grant of Dallas and Mrs. Eileen Kaminsky of Chicago, and a brother, Earl Ruby, 50-year-old Detroit cleaning firm operator.

Dr. Hillel Silverman, rabbi of Shearith Israel, paid Ruby a visit at 8:45 p.m.

Ruby spent part of the afternoon playing solitaire. English said he ate a "good" supper.

Oswalds Disapprove Of Penalty

Lee Harvey Oswald's mother and widow did not want Jack Ruby to get the death penalty for the Nov. 24 killing of the 24-year-old Communist sympathizer.

Mrs. Marina Oswald, the victim's wife, was quoted in a Dallas News story more than a week ago as saying she did not believe in the death penalty in any case.

"No man has the right to kill another if it is not in wartime," Marina said. "I do not believe he (Ruby) or any other man should be put to death."

Shortly after the sentence was read Saturday, Oswald's mother, Mrs. Marguerite Oswald, said, "I also do not believe in capital punishment. I would have preferred him to get life imprisonment without parole."

She said she was not too surprised at Saturday's verdict. "I think the jury did what it thought best," she said.

"But I believe in 'Thou shalt not kill.' And I have no hatred," she said. "I believe Ruby was a human being just like my son. It's quite possible that life in prison would make him a fine man."

Mrs. Oswald, who has been speaking throughout the nation "in my son's cause," says Ruby was paid to kill her son by another party.

"I'm sure there are more facts to be brought out, and I intend to tell them eventually," she said.

She called her son's role that of "a pawn" in the assassination of President Kennedy.



—Associated Press Wirephoto.

JURORS UNANIMOUS ON GUILTY VERDICT

Jurors in the Jack Ruby murder trial raise their hands when polled by Judge Joe B. Brown to signify that their verdict was unanimous. They found Ruby guilty of murder and sentenced him to death.

DALLAS AREA TOWNS

'Jurists' Ok Verdict

By JOE THORNTON

Arm-chair jurists from neighboring towns, agreed generally Saturday with the verdict handed down by the jury in the Jack Ruby murder trial, a Dallas News phone survey indicated.

But a Paris, Lamar County, minister said he felt "just sickness for the poor devil (Ruby) who is the victim of environment and many other factors."

Ruby was found guilty of murder with malice, and the jury recommended he be sentenced to death by electrocution for the Nov. 24 shooting of Lee Harvey Oswald.

The Rev. Mel Nesbit, minister of the First Presbyterian Church in Paris, acknowledged that there

"must be law and he (Ruby) must be punished."

Dallas, the Rev. Mr. Nesbit said, is "too fearful of being too hypocritical, and I wish it would not take itself quite so seriously" in referring to the verdict.

A Corsicana appliance store employe declined comment and the use of her name, saying: "The decision belongs to Dallas."

Mrs. Martha Howard, a Paris housewife, said she was in agreement with the verdict. "It is fitting that a man who openly and brazenly takes the life of another should be punished for his crime and not be allowed to hide behind a cloak of feigned insanity," Mrs. Howard said.

"Ruby's action," she added,

"was inexcusable and closed the door of solution on the greatest tragedy of the century."

Warren Reynolds, manager of the Western Auto Store in Denison, said, "The verdict is justified because in any case where one takes another's life, the death penalty is the only right one."

A Waxahachie department store manager, James M. Ratcliff, expressed surprise at the death penalty. "From what I have read, I believe him to be guilty, but I thought the jury would assess a long prison term," Ratcliff said.

Joe Recer, clerk in a Downton McKinney dry goods store, said he thought it "will be so long before another decision is handed down from an appeals court that it is hard now to imagine him being executed."

Recer observed that townspeople "have been excited about the trial since it started (Feb. 27) but with the announcement of a verdict, they seem to be a little let down."

Keith Maxwell, Paris insurance man, said, "I am personally against capital punishment, but under the state laws they can do that (execute Ruby). I also think Belli was way out in left field with his comments."

Melvin Belli, Ruby's chief counsel, said after the verdict was handed down, "You've got a little bit of Russia here."

A Terrell furniture store employe said he and "the majority of the people I have talked to agree with the decision as rendered." He added: "It was a wise decision on the part of the jury."

Carl R. Adams of Sherman said he believed the penalty to be severe. "I did not see it on TV, but I heard about it at the grocery store," Adams said. "I thought he was guilty, but I did not think he would get the death penalty."

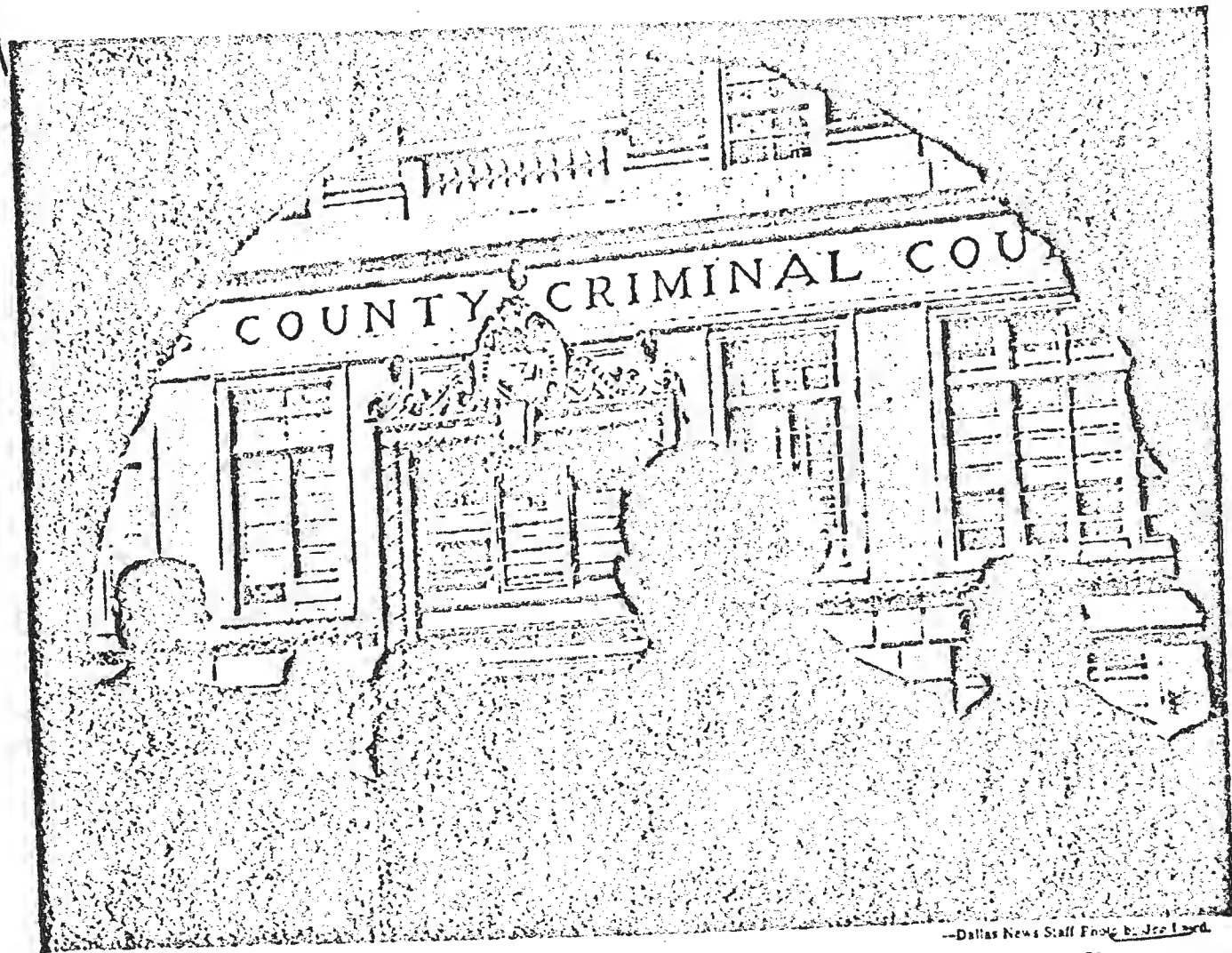
Another Sherman man, Ray Goff, said he did not believe anyone should commit murder. "But if they do, they must pay the penalty. In this case the penalty is fair," Goff said.

A Cleburne department store manager said he felt that the guilty verdict was fair, but he believed the penalty too severe. "Life in prison would have been a better sentence," he said.



—Dallas News Staff Photo.

Judge Joe B. Brown heads home for a weekend of rest, but his role is not finished. There will be appeals to consider in the Jack Ruby case.



—Dallas News Staff Photo by Joe Ford.

A crowd in the archway of the old courthouse awaits the Ruby trial verdict.

Verdict Temporarily Ends Tense Period Since Nov. 22

A tense period for the City of Dallas, dating back to the assassination of President John F. Kennedy on Nov. 22, 1963, came to a halt—temporarily—Saturday with a conclusion of the Jack Ruby murder trial.

The case of Ruby still is in the courts, through announced appeals by his defense attorneys.

Following is a chronology, as compiled by the Associated Press, leading up to the verdict Saturday afternoon in the murder trial:

NOV. 22, 1963—President Kennedy is shot in Downtown Dallas by a sniper at 12:31 p.m. and dies in Parkland Hospital at 1 p.m. Lee Harvey Oswald is arrested in a movie theater 60 minutes later by Officer M. N. McDonald after police say, Oswald killed patrolman J. D. Tippit. Oswald was charged about midnight with both slayings.

Nov. 24—Jack Ruby shoots Oswald at 11:21 a.m. in basement of City Hall during jail transfer of Oswald. Ruby seized immediately. Oswald dies at 1:07 p.m. Ruby is indicted two days later by the Dallas County grand jury.

Feb. 17—Ruby trial begins. Judge Joe B. Brown turns down defense motions for directed verdict of acquittal based on claims that Ruby was temporarily insane when he shot Oswald, that he already had been tried in the compiling of psychiatric information and that he could not receive a fair trial in Dallas.

FEB. 18—Four prospective jurors are dismissed and no jurors are selected. Defense loses attempt to bar all persons from the jury who saw the Oswald slaying on television.

Feb. 18—Twelve prospective jurors questioned and none approved.

Feb. 20—Max E. Causey, 35, electronics worker, selected as first juror. Chief defense attorney Melvin M. Belli causes a small stir by complaining that Ruby's security guards were so close they could overhear conversations at the defense table.

Feb. 21—An industrial engineer, Allen W. McCoy, selected as second juror—the 36th person questioned. Justice of the Peace Joe B. Brown Jr., son of the judge, says he received a telephoned bomb threat, possibly intended for his father.

Feb. 22—The 48th prospective juror questioned as the Saturday half-day session ends with no more jurors named.

Feb. 21—Mrs. Mildred McCollum, mother of six, sworn in as third juror and first woman. The defense asks Texas Supreme Court to rule on whether persons seeing the Oswald slaying on television were witnesses and thus ineligible to be jurors. The court refuses to hear the case. Attorneys questioned 53 persons through this day, seventh of the trial.

Feb. 25—Fourth and fifth jurors, Luther E. Dickerson and Douglas J. Sovell, selected.

Feb. 26—R. J. Flechiner Jr., Mrs. Gwen L. English and J. G. Holton Jr. named as jurors, bringing the total to eight.

Feb. 27—James E. Cunningham selected as ninth juror, the 150th prospect questioned.

Feb. 28—J. Waymon Rose named as 10th juror and defense uses up all its 15 peremptory challenges. Judge Brown grants three additional peremptories. Defense again appeals to Texas Supreme Court on witness-juror issue and again court refuses to hear the case.

Feb. 29—No jurors selected in a Saturday half-day session.

March 2—Defense attorney Joe Tonahill fined \$25 for contempt of court for throwing pencil to floor in a rage. Defense demands mistrial after Maurice A. Melford, Chicago, director of the National Epilepsy League, Inc., distributes literature bearing on the case in the corridors.

March 3—Judge Brown becomes ill with cold and Judge J. Frank Wilson takes over bench. Final two jurors, Mrs. Aileen B. Shields and Mrs. Louise Malone, approved for jury. In all, 163 prospective jurors were questioned in 14 days of the trial.

March 4—Ruby pleads innocent by reason of temporary insanity and testimony begins, with Judge Brown back on the bench. Prosecution seeks to show that Ruby talked coherently immediately after he shot Oswald and indicated he may have had plan to kill his victim at least 20 hours before the shooting.

March 5—Police Officer T. D. McMahon quotes Ruby as say-

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ing. "I intended to shoot him three times" because "you guys couldn't do it."

March 8.—Seven prisoners break out of county jail in the courts building, and one with a fake gun made of soap and other materials captures a woman hostage and takes her outside, where he is captured. Police Sgt. P. T. Dean quotes Ruby as saying he plotted two days to kill Oswald to "show the world that Jews do have guts."

March 9.—The fourth week of the trial begins. Dr. Roy Schafer, Yale psychologist, testifies Ruby was in a blacked out rage when he shot Oswald and was suffering from organic brain damage. A series of acquaintances say Ruby was emotional and moody, particularly after the Kennedy assassination.

March 10.—Dr. Manfred Guttmacher, Baltimore psychiatrist, says Ruby was insane, in his opinion, when he killed Oswald, and did not know right from wrong. Guttmacher says slaying of Oswald had not occurred to Ruby until he saw him in the jail basement. Confronted by his writings saying "temporary in-

sanity is found only in the courtroom," he says he had revised some passages in the book and that others did not apply to specific cases such as Rubys. Dr. Martin Towler, Galveston, says Ruby acted like an automaton during blackout seizures. Under cross-examination, he says he found Ruby normal except in results of the brain wave testing. Mrs. Marguerite Oswald, mother of Lee Harvey Oswald, is sworn in as state witness to keep her out of the courtroom and from possibly upsetting the trial.

MARCH 11.—The defense rests in a surprise action, and the state begins its rebuttal testimony. Dr. Robert Stubblefield of University of Tech's Southwestern Medical School says Ruby was sane by the legal definition. Dr. John T. Holbrook of Beverly Hills Sanitarium says, "I felt he did know the difference between right and wrong and did know the nature and consequences of his act at that time." Dr. Holbrook says he does not believe Ruby had psychomotor epilepsy. Dr. Sheff Olinger, Dallas neurologist, says the brain wave test results would not in themselves support a diagnosis of psycho-

motor epilepsy. Ira M. Walker, a technician for WBAP-TV, places Ruby in the jail area possibly nearly an hour before Oswald was slain.

March 12.—Dr. Walter Bromberg and Rabbi Hillel Silverman testify they believe Ruby was insane. Dr. Bromberg, New York psychiatrist, says Ruby wanted to be a martyr, "he had a definite messianic trend, wanting to rescue the Jewish people from the charge that they didn't have guts."

March 13.—Dr. Frederic Gibbs of Chicago, expert on epilepsy, testified Ruby suffers from psychomotor epilepsy but he cannot say whether he knew right from wrong. Dr. Gibbs ends all the testimony. He was the 35th defense witness. The prosecution called 31 witnesses. This was followed by the judge's explanation to the jury of the laws involved and by the summation by attorneys for both sides.

March 14.—The jury heard attorneys sum up their cases until 1:07 a.m. in a marathon night session which began at 8:05 p.m. Friday. The jury began deliberations at 9:15 a.m., and two hours and 20 minutes later announced it had reached a verdict. Judge Brown read the verdict at 12:22 p.m.

THE VERDICT: DEATH.

COURTROOM DRAMA

3 Knocks on Door Signal Jury Ready With Verdict

The signal, three knocks on the jury room door, came at 11:34 a.m. Saturday.

The raps by foreman Max Causey meant the jury of eight men and four women had reached a verdict in the Jack Ruby murder trial.

Reporters pushed to get into the courtroom.

Deputies held them back. Security measures were still in effect. Each reporter would be searched.

11:40 A.M.—Dist. Atty. Henry

Wade paced back and forth in front of the empty jury box. He puffed a cigarette nervously. Melvin Belli, the chief defense lawyer, talked with reporters. He expected a conviction and a severe penalty. "We'll appeal. Hell, yes, we'll appeal," he said.

11:46 A.M.—Tension was increasing as reporters awaited the arrival of Judge Joe B. Brown, who was driving to the Criminal Courts Building to receive the verdict. Spectators

milled around outside the courtroom, hoping to catch a glimpse of the central figures in this courtroom drama. Others stood across Main Street from the courtroom.

11:50 A.M. — Assistant Dist. Atty. William F. Alexander sat with his wife on a courtroom bench. "What do you think the verdict is, Bill?" reporters asked. "I'm predicting death," he replied.

12 NOON—Assistant Dist. Atty. A. D. Jim Bowie observed that he could not recall when he had been so weary. An officer told him, "You'll have the satisfaction of knowing you helped make history." Bowie smiled and said, "I wish it were history now." Meanwhile, Assistant Dist. Atty. Frank Watts paced the courtroom, his arms folded.

12:10 P.M.—Sheriff Bill Decker called out to reporters. "It won't be long now. The judge is here." Then Decker had a final security briefing with his deputies. Defense attorney Phil Burleson shook hands with Wade and observed, "This has been an ordeal." Wade nodded in agreement.

12:19 P.M.—Judge Brown entered the courtroom, his black robe flowing. Deputies followed with Ruby. He was tense. So was everyone else.

12:20 P.M.—Judge Brown told spectators, some of them standing because all seats had been taken, "I want no demonstration, no sound, no gesturing of any kind . . ." The courtroom became deathly quiet.

12:21 P.M. — Judge Brown glanced at the verdict, began reading. "We, the jury find the defendant guilty of murder with malice . . ." All eyes were on Ruby. He peered at Judge Brown, glanced quickly at the jury box, then peered at Judge Brown again as the stern-faced jurist continued to read . . . and assess his punishment at death.

The suspense had ended.



—Associated Press Photo.

FOR WHOM THE BELL TOLLS

Jack Ruby is their brother. Mrs. Eileen Kaminsky of Chicago is comforted by her brother, Earl Ruby of

Detroit, after they heard Jack Ruby sentenced to the electric chair for the slaying of Lee Oswald.



—Dallas News Staff Photo by Joe Laird.

DEATH MASKS

"Death in the electric chair." The words flashed through the crowd of citizens that had formed around the

courthouse Saturday to await the outcome of Jack Ruby's murder trial. These watched from across the street.

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STRATEGY HIT *Defense Tack May Have Hurt Ruby, Says DA*

By CARL FREUND

Defense lawyers might have saved Jack Ruby from the electric chair if they had followed a different strategy, Dist. Atty. Henry Wade said Saturday.

Wade also said that the defense team, headed by Melvin Belli of San Francisco, put up "the weakest psychiatric defense I've ever seen" in its attempt to convince jurors that Ruby was insane.

Surrounded by reporters and cameramen, Wade said the Ruby conviction "advances civilization" by showing that the people of Dallas still believe in a government of law and order.

Had the jury found Ruby innocent, Wade said, it would have been an endorsement of "lynch law."

WADE QUESTIONED the defense strategy of basing its entire case on the contention that Ruby had "blacked out" and didn't realize what he was doing when he shot Lee Harvey Oswald.

"They pitched their whole case on insanity instead of asking for mercy or leniency," Wade continued. "I think the jury got the feeling that the case boiled down to the question of insanity or the electric chair with nothing in between."

"How would you have tried the case?" a reporter asked.

"I'm not in a habit of representing men accused of crimes," Wade noted with a smile. "But I would have been in there pleading for mercy."

Wade, who estimates he has obtained "24 or 25" death penalties as a prosecutor, termed the Ruby trial the "most exhausting" of his career.

REPORTERS ASKED Wade about the courtroom tirade in which Belli charged that the Ruby trial was "a disgrace to American law."

"It seems like Mr. Belli was in one of those fugue states he's been talking about," Wade said.

(Belli contended Ruby was in a trance-like "fugue state" when he shot Oswald.)

Wade and a member of the prosecution team, William F. Alexander, said the verdict showed conclusively that the jury believed Dallas police officers called as witnesses.

Defense lawyers challenged their integrity and charged that detective Thomas McMillon "lied through his teeth."

The police testimony, Wade said, "put Ruby in the electric chair" by showing malice.

"It showed he first thought

about shooting Oswald on the night of Nov. 22," Wade said.

REFERRING TO the stress which defense lawyers placed on electroencephalograph tests, Wade commented, "I thought from the start they had no business in this case. The question was whether Ruby knew right from wrong when he shot a man who was handcuffed and helpless."

Wade said prosecutors spent about \$3,500 to bring psychiatrists here. He also revealed that he had two other psychiatrists waiting to take the stand after three testified, but concluded additional testimony was not needed.

Wade summed up his feelings with these words:

"I'm glad to get the verdict. And I'm mighty tired."

Juror Denies Pledging He'd Convict Ruby

Editor's note: Hardly had Jack Ruby been convicted of murder with malice Saturday in the slaying of Lee Harvey Oswald than the nationwide television audience heard Melvin Belli, Ruby's chief counsel, blast Dallas itself. As an indication of Dallas' "assassination" of Ruby, Belli charged that one juror had told a friend before reporting for jury duty that if he were chosen for the jury, he would send Ruby to the chair. Here, Dallas News reporter Hugh Aynesworth unveils some facts behind the story.

By HUGH AYNESWORTH

Melvin Belli cried "fix" Saturday, minutes after the jury brought in a death sentence for his client, Jack Ruby.

The furious San Francisco lawyer charged that juror Allen W. McCoy, the second of the 12 veniremen named, had "already told his boss that if he got on the jury he would send this man (Ruby) to the chair."

Belli then charged the "Dallas oligarchy and The Dallas Morning News" of the "assassination of Jack Ruby."

SO UPSET WAS THE silver-haired barrister that he told reporters first it was jury foreman Max E. Causey who had made such remarks. Later he corrected himself.

Belli's charge came out of an unsubstantiated rumor that Belli's defense team reportedly learned of 15 days ago, but did not mention until Saturday.

This reporter knew of the rumor the same day Belli purportedly learned of it, and like Belli, sought to determine what basis, if any, it had.

A Dallas photographer, Shel Hershorn, said he told Belli and his aide, Phil Burleson of the rumor that McCoy had remarked to a fellow employee how he would vote if chosen as a juror.

Burleson checked on the fellow employee and found him seriously ill in a Dallas hospital. The man's son, a Dallas advertising man, was called by the defense team.

The son went to Burleson on Feb. 28 (when only nine of the jurors had been picked), told of his father's condition and said he knew little about the rumor.

"I TOLD THEM nothing," he said later, "because I knew nothing. I didn't want to get mixed up in something like this."

Burleson went to visit the man in the hospital to try to verify the remarks.

This reporter asked Belli on Feb. 29 (the day the 10th juror was added to the list), "What are you going to do about the rumor about the juror?"

"I don't know what you are talking about," he snapped.

TWO LATER QUERIES to Burleson got substantially the same answers.

The following Monday morning I met with Judge Brown in his chambers, told him all I knew of the situation and where he could find out more about it.

Later that day the judge told me he felt there was nothing to the rumor and asked me not to write a story about it.

I TOLD HIM AS FAR as I was concerned, the only story I would ever write was that the defense team knew of a potential "opinionated" juror and had not told the court.

I told him I was aware that rumors of this nature often arise and that the only reason I mentioned it to the court was that I knew everybody in Dallas, including the court and the prosecutors, wanted Ruby to have a fair trial—and that if a biased juror was found, he should be excused before the jury was empaneled.

JUDGE BROWN SAID "absolutely and thank you."

Hershorn who told Belli and Burleson about the rumor said, "I don't feel there is anything to it."

McCoy, arriving home at 2:30 p.m. Saturday, was reached by telephone by this writer. He denied having said anything of the sort reported in the rumor.

"I'm very upset, of course, and very shocked," he said, "but I have made no such remarks. I can assure you."

When McCoy was chosen as a juror, he agreed that he could place aside any opinions he might have had and judge the case solely on the evidence. That made him legally a proper juror, even if he had made derogatory remarks beforehand.

"BUT I DIDN'T," he said, "I just absolutely did not."

Belli said in one of his nationally televised press conferences that he had informed Judge Brown of the "situation."

"What did he do?" Belli asked. "Nothing, that's what. That's the situation in Dallas."

Judge Brown said Belli had never mentioned anything of the kind to him.

Last time this writer mentioned it to Belli — last week — the same reply was "I don't know what you're talking about."

TRIAL VIEWED AS FAIR

Most Agree Verdict Just

Some Persons Feel Penalty Too Severe

By CARLOS CONDE

The man on Downtown Dallas streets agreed Saturday afternoon the guilty verdict against Jack Ruby was just. He got a fair trial, a majority concurred.

But many disagreed on the punishment he received.

Fred Faust of 3207 Crestview said, "I don't think he should have been released on the streets, but I have a feeling the decision came out wrong. (Defense Attorney Melvin) Belli has a point in saying the jury's verdict came in too soon."

"I agree with the verdict, but in my mind I am mixed up as to whether he should be executed. I realize our laws do not set aside any other way to compensate for the crime," said Mrs. Antone H. Freeman of 1407 Waldrop Drive in Irving.

ROBERT MESKAN of 3229 Galahad, an attorney said, "I agree with the verdict. There was no question that the man was not insane. He was seeking publicity.

"The death penalty was justified in this case, and the jury's quick decision was no surprise. They had probably put this case through their heads many times as the trial progressed. I wouldn't be surprised if some of them did not have their minds pretty well fixed when they went in to deliberate," Meskan said.

VINCI LaDUCA of Houston, here for the Texas Safety Association convention, said, "Ruby got what he deserved. The jury was right in imposing the death sentence. I feel he got a very fair trial here. He couldn't have done any better in Houston."

"Surprised at the verdict? I was amazed. It was unreal," said Mrs. Sandra Roden of 230 N. Stuart, Lancaster. "The way the district attorney put it, it was either life or death and that's a pretty big margin. I think Ruby is a sick man. Dallas is prejudiced, but no one wants to admit it."

DWAYNE COUCH of 2315 Beacon Hill said, "I think he got a fair verdict. This case is universal. It could have been the same anywhere. I don't believe in capital punishment. Perhaps a fair punishment would have been life imprisonment with no parole."

(Texas law does not provide a prison sentence without consideration for parole.)

Miss Linda Moore of 414 Easton Road, said, "The verdict was right."

"I don't think he was insane or overtaken by a violent urge. I believe he did it rationally. Whether death was justified is hard to say. So much depends on a person's convictions and principles."

"HE GOT WHAT HE deserved," was the opinion of M. E. Nalley of 5926 Culver. "As an airport limousine chauffeur, I carry people from all over the United States and the world, and everyone seems to think he was guilty and that Dallas was as fair a city as any to try him. He had too much against him. There it was all in black and white for everyone to see."

Branko Beronja of Milwaukee, Wis., termed the verdict fair.

"Insanity was the issue and it was not strong enough. I believe he was an opportunist who took the opportunity, and it dealt him death," Beronja stated.

SANDY BEAN, a Texas Christian University student from Fort Worth said, "For a while, I was afraid he might get off free, but I never thought the jury would have the guts to give him the chair."

"The verdict was clear cut, and it would have been the same anywhere. The sentiments were no different in Dallas than anywhere else."

"It was all the jury could do. If death is justified, then it was in this case," said W. L. Means of Mount Pleasant.

"It seems that instead of Ruby being on trial, psychiatry vs. the death penalty was," said Mrs. Paul Conroy of 1649 Pine, Grand Prairie. "I think that after a reasonable amount of appeals, it (the sentence) will be lessened."



M. E. Nalley . . . "Too much against him. There it was . . . for everyone to see."



—Dallas News Staff Photos.

Sandy Bean . . . "Never thought the jury would have the guts to give him the chair."

Tolson ☒
 Belmont ☒
 Mohr ☒
 Casper ☒
 Callahan ☒
 Conrad ☒
 DeLoach ☒
 Evans ☒
 Gale ☒
 Rosen ☒
 Sullivan ☒
 Tavel ☒
 Trotter ☒
 Tele Room ☒
 Holmes ☒
 Gandy ☒

Oswald's Mother Calls Ruby Fate Harmful to Son

DALLAS, Tex., Mar. 14 (AP). —Mrs. Marguerite Oswald said today she wished the jury had sentenced Jack Ruby to life imprisonment rather than to death in the electric chair.

"I want him alive," she said of the man who killed her son. "I want him alive because I believe Jack Ruby was a paid killer who deprived my son of his trial. I am confident I can prove there are things to be brought out."

"I also do not believe in capital punishment. I would have preferred him to get life imprisonment without parole."

Mrs. Oswald talked calmly to reporters while she drank iced tea in a nearby shop.

"I cannot say I was surprised at the verdict. I think the jury did what it thought best."

"I intend to continue speaking in my son's cause," Mrs. Oswald said. "There is much more to work with now that the Ruby trial is finished."

Her next speaking engagement, she said, will be on a television panel program in Chicago on March 25.

The Washington Post and Times Herald _____
 The Washington Daily News _____
 The Evening Star ☒
 New York Herald Tribune _____
 New York Journal-American _____
 New York Mirror _____
 New York Daily News _____
 New York Post _____
 The New York Times _____
 The Worker _____
 The New Leader _____
 The Wall Street Journal _____
 The National Observer _____
 People's World _____
 Date _____

NOT RECORDED
 128 MAR 19 1964

59 MAR 20 1964

MAR 15 1964

DALLAS IS SHAKEN BY DEATH PENALTY

Guilty Verdict No Surprise;
but Sentence Shocks Many
—Appeal Is Discussed

By JACK LANGGUTH

Special to The New York Times

DALLAS, March 14—The people of Dallas did not want Jack L. Ruby back among them, basking in his crime and acquittal. Neither did they want him sentenced to death.

"This verdict was almost as shocking to everyone as Ruby's own shooting had been," a Dallas newspaper editor said shortly after the jury returned with a verdict of guilty and directed sentence of death for the slayer of Lee H. Oswald, accused assassin of President Kennedy.

A. C. Greene, editor of The Dallas Times Herald editorial page, declared:

"The town's a little bit shaken."

Across the street from the courthouse, a large crowd gathered before noon when news spread that a verdict would soon be announced.

Crowd Awaits Verdict

The brisk winds and sunny skies made the waiting pleasant, but the mood of the crowd was somber. When the decision was announced, some drifted away without comment, others stood to watch District Attorney Henry M. Wade interviewed on the courthouse steps.

Upstairs, as sheriff's deputies held back reporters until the jury could leave by a side exit, one deputy turned to another and remarked:

"Too strong."

The other deputy raised an eyebrow.

"Prison would have been better," the deputy explained. "This won't stand up."

His view was widely shared around the courthouse this afternoon. Then, too, Judge B.

Brown's casual manner on the bench may be the despair of some of his colleagues during the trial.

The court of Criminal Appeals will review a capital punishment case more rigorously than would a case with a long-term prison sentence, some observers believe.

When he was arguing last month for a change of venue, Melvin M. Belli, Ruby's chief attorney, charged that the civic leaders of Dallas wanted to execute Ruby to show the law and order prevailed here.

Jail Term of 30 Years Desired

Mr. Belli, however, had apparently overstated the attitude among the business men who influenced this city. For the most part, these men wanted to see Ruby sentenced to a jail term of at least 30 years.

"This country is surfeited with death," one member of the Dallas Citizens Council, a business group, said two months ago. "Whether its official or unofficial, I don't want to see another killing here."

Of recurrent concern here has been the possibility that Mr. Belli would succeed in getting Ruby acquitted.

"I can picture the whole thing now," said one woman who belongs to a loose-knit group of Dallas leaders that Mr. Belli had apparently referred to in talking of the "oligarchy."

"Jack Ruby's out of jail," she declared, "and he's bought a new strip-tease joint and he's behind the bar bragging about how he killed Oswald. It gives me nightmares."

Mr. Belli's handling of the Ruby case had drawn criticism on several grounds.

He first alienated much of the state's legal profession last December when he arrived in Dallas and characterized members of the District Attorney's staff as "yokels."

"I almost forgot about Jack

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Ruby's lead about the case," one suburban Dallas matron said today. "And I got the feeling that Mr. Bell had forgotten, too."

The spectators who turned up early each day to watch the proceedings rarely expressed opinions about the case. But they were all plainly fascinated by Mr. Bell's dramatic appearance and urbane air.

After the first bail bond hearings, however, opinions among Dallas lawyers had begun to change.

"First I thought Bell would eat Henry Wade alive," one lawyer said after a visit to the courtroom. "But I'd forgotten that Henry's a pretty solid prosecutor."

Ruby's attorneys had based their case almost exclusively on the argument that the 52-year-old night-club owner was insane at the time he shot Oswald last Nov. 24.

Many Knew Ruby

Visitors to Dallas in the last month expressed surprise at the number of people Ruby knew here.

"He used to come in often," a waitress said last night at an all-night diner near the Carousel, Ruby's nightclub. "The defense asked me if I'd testify for him. I told them that I'd known him for 15 years and just didn't have anything good to say about him."

"I know Jack Ruby," taxi drivers, policemen and local businessmen often said, "and he's no more crazy than I am."

But for whatever ill will Ruby engendered in 15 years in Dallas, few persons were expressing satisfaction today.

"In the last few months, Ruby has become a household name in Dallas," one man said. "He's like a television performer whom you feel you know, just from hearing so much about him. You can't kill someone like that with a clear conscience."

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Associated Press Wirephoto

Jack L. Ruby leaves Dallas court after sentencing to death



United Press International Telephoto

Television view of Judge Joe B. Brown as he reads verdict

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UPI-6

(RUBY)

DALLAS--CHIEF DEFENSE COUNSEL MELVIN BELLI SAID TODAY HE IS CONCERNED THAT JACK RUBY MIGHT EITHER BE KILLED IN JAIL OR COMMIT SUICIDE BEFORE APPEALS OF HIS DEATH SENTENCE CAN BE MADE.

IN AN EXCLUSIVE INTERVIEW WITH UPI, BELLI SAID HE IS AFRAID RUBY MIGHT BE PUT IN A HOLE SOME PLACE AND KILLED BY A GUY WITH A SHIV.

BELLI SAID HE WILL GO TO AUSTIN, TEX., TOMORROW TO TAKE THE CASE TO THE CRIMINAL COURT OF APPEALS.

"YES SIR, I DO HOLD CONCERN FOR HIS LIFE," BELLI SAID. "THAT WOULD BE THE WAY TO PREVENT AN APPEAL...ANOTHER WAY FOR DALLAS TO DISPOSE OF HIM."

"I'M GOING TO HAVE A TALK WITH SHERIFF (BILL) DECKER," BELLI SAID. "RUBY SHOULD HAVE TREATMENT RIGHT NOW. HE MIGHT COMMIT SUICIDE."

RUBY WILL BE HELD IN DALLAS COUNTY JAIL WITHOUT BOND UNTIL AFTER HIS CASE MAKES ITS WAY THROUGH THE APPEALS COURTS. WHEN, AND IF, APPEALS OF HIS SENTENCE ARE DENIED HE WILL BE TRANSFERRED TO THE STATE PRISON AT PUNTSVILLE, TEX., FOR EXECUTION IN THE ELECTRIC CHAIR.

BELLI SAID TODAY "I THINK WE HAVE A GOOD CHANCE IN THE CRIMINAL COURT OF APPEALS. ALL TEXAS ISN'T LIKE THIS PLACE HERE. THEY'RE GOING TO CHASTISE THIS KANGAROO POUCH JUDGE (BROWN) WHO SAT ON THIS CASE. HE DIDN'T WALK TO THE BENCH, HE HOPPED."

BROWN HAD PRAISED BELLI YESTERDAY AS ONE OF THE BEST ATTORNEYS HE HAD EVER HAD IN HIS COURT.

"I DON'T NEED JUDGE BROWN'S COMPLIMENTS," BELLI SAID TODAY.

"I'M SORRY I SHOOK HANDS. HE HAS BLOOD ON IT (CO). HE TOLD ME IN PRIVATE THAT HE WOULDN'T HAVE GIVEN THIS CASE UP FOR LOVE OR MONEY."

BELLI SAID THAT RUBY TOLD HIM LAST NIGHT THAT HE WANTS TO GO TO WASHINGTON AND TAKE A LIE DETECTOR TEST TO PROVE THAT HE DID NOT KILL OSWALD.

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WASHINGTON CAPITAL NEWS SERVICE

BELLI, THE VOLATILE "KING OF TORTS" FROM SAN FRANCISCO, SAID HE HAD ALREADY RECEIVED MORE THAN 100 TELEGRAMS FROM PERSONS' APPEALED AT THE VERDICT.

BELLI SAID HE HAD TALKED TO RUBY AND HE WAS "BETTER THAN I'VE SEEN HIM FOR A LONG TIME. THIS POOR LITTLE FELLOW ASKED THAT THE STREET CLOTHES HE WAS ARRESTED IN BE BURNED. "I DON'T WANT TO BE IN THAT WAX MUSEUM IN DALLAS."

BELLI WAS STILL SEETHING AT THE CITY HE CALLED "A LITTLE BIT OF RUSSIA IN THE UNITED STATES."

HE SAID HE WAS GOING TO DO A BOOK ABOUT "ALL THE INJUSTICE OF THIS FESTERING TOWN. WHAT I WANT TO DO IS GO TO NEW YORK, STAND IN TIMES SQUARE, AND SEE SOME JEWS WALK BY, PUERTO RICANS, DAGOS, NIGGERS, WHITE PEOPLE AND SAY, THANK CHRIST, I'M BACK IN AMERICA. THEY ARE FREE MEN."

DIST. ATTY. HENRY WADE SAID HE THOUGHT THE "FACTS FULLY WARRANTED THE VERDICT." HE SAID IT WOULD PROBABLY TAKE TWO OR THREE YEARS BEFORE THE CASE IS SETTLED.

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Jury Gets

Ruby

Murder Case

State Asks For Death Penalty

American Justice
On Trial, Panel
Told by Prosecution

By Arthur Everett
DALLAS, March 14 (Sat-
urday) (AP)—Jack Ruby's
murder case went to a jury
at 2:05 a.m. (EST) today
after the state made an im-
passioned plea for the
death penalty in the slay-
ing of Lee Harvey Oswald.

The defense, on the other
hand, asked that Ruby be
turned free despite his slay-
ing of the accused presiden-
tial assassin because he is a
"very, very sick man."

Judge Joe B. Brown in-
structed the jury to select a
foreman but to defer their
deliberations until later to-
day. The panel had been
through a grueling five-hour
night session, the first of the
trial.

District Attorney Henry M.
Wade ended the state's sum-
mation of the case by declar-
ing:

"Jack Ruby was a glory
seeker. He wanted to go down
in history as a man who killed
an accused assassin . . .

"The Communist world
would be happy to know you
can commit murder on a
handcuffed man in police cus-
tody and walk out a free man."

Defense Appeal

By contrast, Chief Defense
Attorney Melvin Belli told
the jury:

"This poor, sick fellow . . .
and sick he is. And you know
in your hearts he is. This man
should be turned out. You
can't free him completely, he's
had four months in jail.

"He is one of the afflicted,
he is sick. Give him a just
and fair verdict, compatible
with modern science. That's
what the world wants to see."

A standing-room-only crowd
packed the courtroom for
final summations during
which defense attorney Joe
Tonahill told the jury:

"A good government doesn't
take the life of a man with
a sick mind and never will."

Ruby, who shot Oswald to
death Nov. 24, blinked his eyes
rapidly as Assistant District
Attorney William Alexander
opened the state's summation
by declaring:

"I'm not going to defend
Oswald to you. I tell you four times
—American justice is on trial.
American justice had Oswald
in its possession. Oswald was
entitled to the protection of

the law until the law chose
not to protect him but to pun-
ish him. He was entitled to
a fair trial."

Alexander then wheeled
around and pointed a finger
at Ruby and shouted:

"You denied him the very
thing you demand the loudest.
How horrible can an act be
when you realize he shot a
man who was in the hands
of the law, who was in hand-
cuffs. There is no justice in
that."

In concluding his summa-
tion, Alexander demanded
the death penalty for Ruby
and thundered:

"This is a wanton killing.
I tell you Jack Ruby mis-
judged public opinion. He
thought he could kill Lee Os-
wald and become a hero. He
thought he could make money
out of it.

"He's nothing but a thrill
killer, seeking notoriety. He
has mocked American justice
while the spotlight of the
world was on us."

The final testimony of the
trial came yesterday from Dr.
Frederic Gibbs of Chicago.
He concluded Ruby's innocent
by reason of insanity defense

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by testifying that the night club operator suffers from psychomotor epilepsy. But Dr. Gibbs, an expert on epilepsy, could not say whether Ruby knew right from wrong at the time of the Oswald slaying.

The Chicago psychiatrist was the 35th witness called by the defense. The prosecution used 31 witnesses in the trial which began Feb. 17.

The trial was delayed for 10 hours yesterday by a prolonged argument over the Court's charge to the jury, which preceded the summations by both sides.

Testimony ended at mid-morning, but it was not until 9:05 p.m. (EST) that Judge Joe B. Brown began his 17-minute charge to a jury of eight men and four women.

Defense attorneys took full advantage of their right to

question Brown's interpretation of the law before he presented his finished charge to the jury. They filed 24 typewritten pages of objections to the charge as it originally was written.

Most of them were turned down by Brown.

Possible penalties under the state's charge of murder with malice range from acquittal or a minimum of a two-year suspended sentence to death in the electric chair. In Texas, the jury sets the penalty if it convicts the defendant.

"The reason I am allowing television (and radio) of the verdict," Brown said, "is because it does not interfere with any process of the court . . . It is merely making public the verdict of the jury at the time it is announced."

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Lucy

Jury Ponders Fate of Ruby

State Charges

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'Murder' With Malice and Demands Death

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BY INEZ ROBB

DALLAS, March 14—The third man in a grotesquely assorted trio bound inextricably together in and by history waits his fate in the Dallas County Jail today.

Caught in the vortex of great and tragic events, Jack Ruby faces anxious hours until he learns the penalty he must pay for the murder of Lee Harvey Oswald, the communist sympathizer who allegedly assassinated President John F. Kennedy in this city on Nov. 22, 1963.

CHARGE

A little less than 48 hours later Ruby, operator of a strip-tease joint, killed Oswald in the basement of the Dallas police station.

The state, charging "murder with malice," is demanding Ruby's death in the electric chair. The defense, pleading temporary insanity, is asking for mercy. A jury of four women and eight men, all white, all Protestant and all of Anglo-saxon descent are to decide Ruby's fate.

The jury, bone-tired after a 16-hour session and mind-weary after a belaboring of oratory that lasted four and a half hours, was sent to bed early today by Judge Joe B. Brown for a few hours of rest.

Ruby's fate was put in their hands at 1:05 a. m. CST.

The 12 went to their 8-by-10-foot bedrooms in the jury quarters on a floor above the courtroom.

Awaiting them was the business of electing a foreman and breakfasting before beginning formal deliberations.

FILED OUT

"What are they gonna do to me now, Joe? What are they gonna do to me now?" asked the drawn and pale little defendant of huge defense Atty. Joe H. Tonahill when the jury filed out of the packed courtroom.

Mr. Tonahill assured him there would be no verdict until after a short night's sleep, at least. Ruby went off to his maximum security cell in the same criminal courts and jail building in which the jury was locked up for the night.

Among other Texans, Dallas is known as a "hangin' town." But few persons who have followed the courtroom testimony from the beginning believe the state has proved premeditated murder.

Yet an equal number of skeptics doubt the defense has proved Ruby temporarily insane. That he was an unstable and highly emotional personality, yes. But temporary insanity is something else again, this faction says.

When I first came to Dallas I wrote: "As Ruby sits in court, he looks like nothing so much as a ludicrous anti-climax to a historic cataclysm. To see him in person only compounds the mystery of his involvement in any way with a crime that took the life of an American President."

EVENTS

That seems doubly true now, at the end of a trial that has already run four weeks.

Looked at from any angle, Ruby was caught up in events much, much larger than life—certainly than any life he had known since his birth 52 years ago on Chicago's tough west side.

It is the "ifs," and there are many of them in Ruby's life, that have trapped him and brought him to the Dallas County Jail. In the first place, if he had not had such an inordinate admiration for President Kennedy, if he had not idolized Jacqueline Kennedy, Caroline and John-John.

But the crucial "ifs" that betrayed him, that put him in the right place at the right time were, to all intents and purposes, accidental, as subject to

idiot chance as a poker hand.

If a strip-teaser called Little Lynn, who worked in Ruby's night club, the Carousel, hadn't needed rent money in a hurry; if she hadn't called from Ft. Worth around 10 a.m. Sunday, Nov. 24 and awakened Ruby with her plea for a \$25 advance on her salary; and if Ruby had not gone to Western Union to wire the money to Little Lynn, he might have slept thru the minutes required to transfer Oswald from the city jail to the county jail.

THE 'IFS'

But Little Lynn did call and Ruby did go to Western Union, sending the \$25 to her at 11:17 a. m.

At this point, another set of fateful "ifs" take over. If Western Union had only been situated more than a long block

if—and this is a big if—the from the Dallas police station, Dallas police had only moved Oswald to the county jail as previously announced and planned at 10 a. m.

And he would not now be in a cell in the county jail waiting to at such a crucial time and earn it he lives or dies.



JACK RUBY

The Ruby Trial - Bedlam

By Maurice C. Carroll
Of The Herald Tribune Staff

DALLAS, Tex.

The stocky, graying man with a pipe in his hand shoved at the backs of the newspaper men and photographers crowded around Joe Tonahill, one of Jack Ruby's defense lawyers.

"Joe," he yelled. "Oh, Joe?" Nobody paid any attention to him, so he asked one of the mob, "When Joe gets done, ask him to come to my office."

The man who couldn't push through the crowd of interviewers was Judge Joe B. Brown, and the wild scene was only one of several such performances yesterday in the closing hours of the Jack Ruby murder trial.

This trial lurched toward a conclusion with lawyers trading televised insults, mobs of perspiring newspaper men

surging through the court house seeking information, and hour after hour of disorganized hour of delay and confusion.

The day began with testimony of a doctor who made a dramatic last-minute flight to Dallas as a Ruby witness. He was to be followed by the judge's charge to the jury, closing arguments by both sides and summation of the case to the jury of eight men and four women.

But the defense protested that the written charge had been prepared for the judge by the prosecution and was a "cold-blooded murder charge, which leaves room only to fill in the sentence."

To the 11-page charge, Defense Lawyer Phil Burleson tacked on 16 pages of proposed amendments by late afternoon, based on 40 objections, and three typists in his office were clattering out more, while the trial stalled.

As a result, spectators and the press gradually began to drift from the crowded old courtroom where the Ruby trial had dragged for 22 sessions. And there were more impromptu corridor press conferences such as have sprouted continually in the hubbub caused by its developments.

Finally, Judge Brown emerged from his office and said he had decided to go on with charge and summations in a night session, making it possible for the jury to get the case today.

Judge Brown used part of the afternoon free time to tell a crowd of shouting, shoving photographers how he would let them cover the trial's close.

"When the jury come in," he said, "there will be one live TV camera in the rear of the courtroom to record the verdict," he had previously barred all cameras.

In Texas, the verdict is handed to the judge, and he reads it. The jury sets the penalty.

Later, plans were made to let Don Uhrbrock of Life magazine serve as a pool still-camera photographer, and to feed radio lines from the public address system during the lawyers' summation.

If the publicity plans—or anything else—worried the pallid little Ruby, who used to run a law firm in Dallas

striptease joints, he wasn't saying. In midday, George Brimnall of the Winnipeg Tribune asked defense lawyers to hand Ruby a note with a series of questions on it. Ruby scrawled the answers in pencil. How did he feel? Mr. Brimnall had asked. "Confused," wrote Ruby.

The day's only witness, the trial's 66th and last, was Dr. Frederic Gibbs, a Chicagoan described by defense lawyers as "the father of electroencephalography."

The defense contends Ruby suffered from a variation of psychomotor epilepsy and was triggered into unthinking action when he shot the accused assassin of President Kennedy, Lee Harvey Oswald, in the basement of Dallas police headquarters. The claim is that this condition showed up on brain-wave tracings examined by Dr. Gibbs.

The doctor, a square-jawed man with deep-set eyes and a quiet lecturer's voice, had originally declined to testify. A series of medical witnesses for both sides had said nice things about him.

Said to have been disturbed when he read newspaper accounts of the trial, he flew into Dallas for a last minute appearance, and created something of a tactical problem for the prosecution. They solved it by closing their cross-examination with queries about the doctor's qualifications. Dr. Gibbs, it appeared, had concentrated on brain-wave readings and, although graduating from medical school in 1929, hadn't become a licensed M.D. until 1956.

"Is it true then," asked First Assistant District Attorney Bill Alexander, "that someone else had to write prescriptions for you in your office?"

Dr. Gibbs said it was.

Dr. Gibbs said brain wave tracings showed Ruby suffered from "a particular, very rare form of epilepsy." The pattern, he said, was "clear" and he walked to the jury box and pointed out on a paper chart. The jurors crowded together, peering intently at the tracing.

Psychomotor variant epilepsy was characterized, Dr. Gibbs said, by "lack of emotional control, impulsive and obsessive types of behavior."

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People's World _____
Date _____

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Associated Press wirephoto

**IN CHAMBERS, Judge Joe E. Brown, who presided
over the Ruby trial, prepares his charge to jury.**

(Mount Clipping in Space Below)

Judge Puts Ruby's Fate Into Hands of Jurors [Jury Turns In] After Arguments

By CARL FREUND and HUGH AYNESWORTH

Judge Joe B. Brown placed the fate of Jack Ruby in the hands of a jury at 1:07 a.m. Saturday after prosecutors branded Ruby as a "thrill killer" and defense lawyers charged that a detective "lied through his teeth."

Jurors immediately decided to retire, beginning deliberations later Saturday morning.

After the grueling 5-hour night session, Judge Brown instructed jurors to select a foreman immediately, but wait until later Saturday morning to start deliberations.

Prosecutors said Ruby should die in the electric chair—not only because he killed Lee Harvey Oswald, but also "because he has mocked American justice while the spotlight was on us."

Defense attorneys described Ruby at one point as "a patriot."

(Indicate page, name of newspaper, city and state.)

1 "The Dallas
Morning News"
Dallas, Texas

Date: 3-14-64

Edition:

Author:

Editor:

Title: Jack B. Krueger

Character:

or

Classification:

Submitting Office: Dallas

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—Associated Press Photo

Defense Attorney Tonahill checks objections to charge to the jury in Ruby trial.

They said repeatedly that he was "~~a sick, sick man~~" when ~~he shot~~ the Marxist accused of assassinating President Kennedy here.

Ruby's lawyers contended also that prosecutors wanted to put the striptease club manager in the electric chair to "further their political ambitions" and appease their frustrations at being unable to try Oswald.

The defense said a Dallas detective, an important prosecution witness, lied when he told of hearing Ruby call Oswald a "rat son of a bitch."

Melvin Belli, the chief defense lawyer, made the final plea for Ruby.

Speaking softly, Belli said, "We were sure what we had . . . a sick man. And we bring before you now. He is sick."

Noting that Ruby carried a thick wad of bills, First Assistant Dist. Atty. A. D. Jim Bowie commented, "This man (Ruby) knew he was going ~~down~~ to kill a man and he thought he

had better have a little bond money in his hip pocket."

Bowie said he is convinced Ruby decided to kill Oswald after seeing the assassination suspect in the City Hall basement the night of Nov. 22.

As Belli related the tests given Ruby, the slayer let his gaze sweep over the faces of jurors who hold the power to decide whether he lives or dies.

Meanwhile, Belli's wife sat with other spectators on a hard bench near the rear of the courtroom and scribbled notes, just as she had done during other arguments.

In urging jurors to find Ruby innocent, Belli said, "That's what the world wants to see from this community."

Then Belli told the eight men and four women on the jury:

"Don't stigmatize this character, the village clown, whatever you call it—a sick man—by any jail sentence or any suspended sentence. Be true to yourself."

Belli said there could be only one correct verdict—a verdict holding Ruby innocent of murder.

"You cannot find this sick man guilty of anything," he said.

Dist. Atty. Henry Wade told jurors:

"You can bet your last dollar that, if this man is turned free, the communists will be darned happy. They believe in executing them on the spot. They don't believe a man is innocent until proven guilty."

A verdict freeing Ruby would mark a return to barbarianism, Wade continued.

"What will you want the history books to say about you?" the district attorney asked jurors.

Wade described Ruby as "a glory seeker who wanted the limelight, who wanted to go down in history."

Wade said Ruby may have an unstable personality and may be emotional. But, the district attorney said, this does not mean he was insane when he pulled the trigger of his Colt Cobra revolver and sealed Oswald's lips forever.

Assistant Dist. Atty. William F. Alexander began the final arguments with a summation designed to prove the State's contention that the balding 32-year-old Ruby was sane on Nov. 24 when he shot the accused assassin in the Dallas police station basement in front of scores of reporters and a nationwide television audience.

Alexander called the act "a wanton killing."

"I tell you," he thundered, "Jack Ruby misjudged public opinion. He thought he could kill Lee Harvey Oswald and become a hero. He thought he could make money out of it."

"He was nothing more than a thrill killer, seeking notoriety. He has mocked American justice while the spotlight of the world was on us," he added.

Defense Attorney Phil Burleson took over after an hour.

"The only malice in this case," he said, "comes from the blistering lips of some police officers" who saw Ruby in the basement and testified as to his remarks.

"This happened in their own back yards," Burleson said, "and in a breach of their own security."

The trial got under way about 8 p.m., following a 10-hour delay as defense attorneys argued legal aspects of the charge Judge Joe B. Brown was to read to the jury.

Judge Brown said early Friday morning he would "get this thing to the jury today," and he kept his word, despite defense pleas to begin summations Saturday morning.

Brown snapped, "We'll get it there tonight if it takes until 4 a.m."

All objections were ironed out by 8:05 p.m., and Brown spent 17 minutes reading the charge to the jury.

Ruby entered the courtroom Friday night apparently in better spirits than in the past few days of the gruelling trial. He waved at a local lawyer who had once represented him and strained once in his chair to wink at members of his family who have been present at every session.

Shortly after Ruby dropped in the oaken chair, his chief attorney, Melvin Belli, asked Judge Brown to allow the defense three hours in which to explain its case to the jury.

Across the aisle, a scant four feet from Belli's right hand, Dist. Atty. Henry Wade motioned that he wanted only two hours.

"Then we'll compromise," said the judge, "and give you both 2½ hours. That all right?"

Alexander led off at 8:23 p.m.

He struck at one of the defense's principal contentions—that Ruby so loved the late President John F. Kennedy that he felt maddened enough by the tragedy to slay the man who had killed the youthful President.

Alexander recalled testimony of three Dallas News employees.

Georgia Mayor, Don Campbell and John Newman, who testified that Ruby was in the News building at the time Kennedy was killed.

"Here we have the picture of a man who possesses such love for his President, such love for the president's wife and children . . . But he did not see fit to leave the Dallas News to see the parade.

"He wouldn't stir himself enough to walk five blocks to see the President," Alexander said.

"This shows you the kind of mind and heart this man has," he added.

Alexander then traced Ruby's movements.

He told of witnesses who placed Ruby at the county courthouse Saturday afternoon, Nov. 23, near the time figured for an Oswald move. He recounted testimony that found Ruby walking around the Texas School Book Depository that same afternoon.

Alexander hinted that Ruby tried to take sandwiches to Dallas homicide and robbery detectives nine hours after the President's death "because he wanted to be near Oswald."

Alexander got around to Oswald.

"I'm not going to defend him to you," he said, "but he was a living, breathing American citizen, entitled to a fair trial."

The tall prosecutor wheeled abruptly toward Ruby and pointed a finger as he said: "Just like you, Jack Ruby! You denied him the very thing you demand the loudest.

"How horrible can an act be when you realize he shot a man who was in the hands of the law, who was in handcuffs. There is no justice in that."

Burleson, in a 21-minute argument, attributed Ruby's actions to "the seeing of a sneering, smirking, Communist killer of the President of the United States."

"This is the Lee Harvey Oswald we know about," Burleson continued, "that we remember, that Jack remembered during those three days back in November."

Assistant Dist. Atty. Frank Watts brought tears to the eyes of some spectators.

The prosecutor said he wanted to recall the words of "a great American who is not here tonight . . . who cannot be here tonight."

As a hush fell over the crowded courtroom, Watts quoted the famous words of President Kennedy: "Ask not what your country can do for you, but what you can do for your country."

Then, standing only three feet from Ruby, Watts shouted:

"I ask you what Jack Ruby has done for his country after professing the great love he had for President Kennedy. He said he wanted to show the world that Jews had guts. He showed the world that a man named Lee Harvey Oswald couldn't get a trial."

Ruby sat with arms folded. His face remained expressionless.

Then, striding toward the jury box, Watts demonstrated the manner in which Ruby lunged forward and pulled the trigger.

"You heard the testimony," Watts recalled. "After they grappled with Jack Ruby and got him down, he said 'I'm Jack Ruby. You know me. I'm Jack Ruby.' What were the officers supposed to say? Were they supposed to say, 'We're sorry, Jack. Go on about your business.'"

"Did Jack Ruby think he was such an important character in Dallas that he could kill with impunity?"

His voice reaching an emotional peak, Watts closed his argument with these words:

"Blood is still upon the hands of Jack Ruby."

Two deputies sat behind Ruby, shoulder to shoulder, almost blocking him from the view of spectators who filled every seat and stood along the walls.

Flanked by the U.S. and Texas flags, Judge Brown sat in a high-backed chair with his hands clasped and let his gaze sweep over spectators.

Judge Brown glanced at the courtroom clock.

It was 9:55 p.m.

Perhaps jurors would like a recess, defense attorney Joe Tona-hill suggested.

Judge Brown asked them.

They said they preferred to hear more argument, indicating they were anxious to complete the case and return to their families.

Tonahill, a 240-pound East Texas lawyer, arose and approached the jury box.

A murmur swept through the courtroom when Tonahill began his appeal by referring to Ruby as "this patriot."

Then, facing prosecutors, Tonahill told the jury:

"They would have you send a sick man, a man suffering from psychomotor epilepsy, to a penal institution to satisfy their political ambitions . . . their frustrations. They lost their great political opportunity (to try Oswald on a charge of assassinating President Kennedy) and now . . ."

Objections from the prosecution table drowned out Tonahill's voice.

There were even louder objections seconds later when Tonahill said, "They would have you take Lee Harvey Oswald by the hand and walk with him."

Then Tonahill charged that prosecutors relied on false testimony in their attempt to send Ruby to the death chamber at Huntsville. The defense lawyer said Detective Thomas McMillon "lied in his teeth" when he testified that he heard Ruby tell Oswald, "You rat son of a bitch. You killed the President."

His voice rising, Tonahill declared:

"McMillon lied. He didn't see what he said on the witness stand. He couldn't have seen it."

The defense lawyer exhibited a picture snapped as Ruby shot Oswald.

"Here's McMillon, looking in the other direction," Tonahill told the jury, pointing to a face in the picture.

Pointing to Dist. Atty. Henry Wade, Tonahill said he was shocked by "the uncouth, unsavory, ungentelemanly, un-Texan conduct" of the district attorney. Laughter started to sweep the courtroom, but ended abruptly when spectators saw Judge Brown glaring at them.

The defense lawyer returned to his primary theme—that prosecutors wanted a conviction to further political ambitions.

"Jack Ruby's scalp added to Henry Wade's belt will mean something to him, I guess. And Bill Alexander . . . He likes to see the rolling hills. He would like to travel on the way to Huntsville to see the execution of this man. He'd thoroughly enjoy it. Have you watched his eyes? His tarantula-like eyes?"

When Tonahill referred to Alexander as "repulsive," Judge Brown snapped, "Get on to something else."

Tonahill stood before the jurors and looked into their eyes.

"I see great courage in your eyes," he told them.

Then he sat down.

It was 11:05 p.m., and Judge Brown ordered a 15-minute recess.

Judge Brown delayed closing arguments to give the attorneys time to prepare formal requests for changes. They wanted some phrases deleted and others added. Defense attorneys in all filed 24 typewritten pages of objections to the charge as originally written.

Meanwhile, prosecutors accused the defense lawyers of "stalling."

Radio stations waited fruitlessly to broadcast arguments in which lawyers would make their final pleas to the jury. Judge Brown earlier had given the stations permission to place microphones in the courtroom, but later changed his mind. He said he would, however, allow radio and television coverage of the verdict at the end of the trial.

Earlier in the day, Ruby had predicted the jury would find him innocent.

Dist. Atty. Henry Wade told reporters he would consider a life sentence "or any other long prison term" a prosecution victory.

Wade said, however, that he still believes Ruby should die in the electric chair because he shot the manacled Marxist.

"I'm hopeful the jury will assess the death penalty," the prosecutor continued. "I feel it is definitely merited in this case."

Defense lawyers, who held press conferences between trips to Judge Brown's office, charged that Wade prepared the charge which the jurist proposed to submit to jurors.

They termed it "a cold-blooded murder" charge.

Wade said his assistants prepared a suggested charge, but Judge Brown did not follow it.

Instead, Wade said, Judge Brown modeled his charge after another which Judge Henry King of Criminal District Court No. 2 submitted to jurors in the Carl Junior Hackathorn murder case. The defense in that case was also insanity.

(Hackathorn received the death penalty on a charge of killing a Dallas mother while her baby watched. His attorneys are appealing the conviction.)

Asked if he approved of the proposed charge, Wade replied, "We don't care what's in it, just so there's room at the bottom for the jury to write a verdict of guilty."

Ruby's lawyers objected heatedly at one point when they noted Judge Brown's charge referred to "the relationship, if any, between the accused (Ruby) and the deceased (Oswald)."

Testimony ended on a subdued note at 9:57 a.m. as Dr. Frederic Gibbs of Chicago, a specialist in interpreting "brain wave" tests, left the witness stand.

Dr. Gibbs said he is convinced Ruby is a victim of psychomotor epilepsy. Other defense witnesses said this condition could produce a trance-like behavior in which a man could fire a gun without realizing what he was doing.

Dr. Gibbs said, however, that he "has no opinion" whether Ruby knew what he was doing when he shot Oswald.

This phase of Dr. Gibbs' testimony appeared to distress Ruby.

Testimony ended without Ruby taking the stand.

"I wanted to testify, but Mr. Belli knows best," Ruby said.

Defense lawyers said last week they planned to put Ruby on the stand, even though this would subject him to cross-examination. They changed their mind, they said, after a psychiatrist told them he might "crack up," in the courtroom if subjected to the pressure of questioning.

Wade scoffed at this statement.

"They never intended to put him on the stand," the prosecutor said. "They couldn't afford to."

Visiting Reporters See Guilty Verdict

A majority of the visiting press seems to believe that Jack Ruby will be convicted of the Nov. 24 slaying of Lee Harvey Oswald, but there is tremendous disagreement as to the penalty the jury will render.

Of 21 reporters The News questioned, 18 believe Ruby will be found guilty and 3 say a hung jury is likely. Of the 18, 7 more consider a hung jury a possibility.

Home bases for the reporters range from Australia to Europe, and from Long Beach to New York.

Most predictions fell in the 20-to-35-years range.

William Hunter of the Long Beach (Calif.) Independent Press Telegram looks for the death penalty. Said Hunter:

"I don't think the defense has proved in any way that Ruby is insane. They've proved he was volatile, impulsive, but that's what we have laws for today, to keep people like this from killing."

Francois Peleu, Agence France Presse, said, "I think he'll get 25 to 50 years."

"I just don't think there's a possibility of the death sentence here," he added. A hung jury? "Always the possibility, it's a 1-out-of-12 shot."

Gene Roberts, Detroit Free Press: "I look for 25 to 35 years. There was a period when I thought Ruby might do better, but then the state had about eight witnesses that changed my mind."

Roberts said he had talked with nine other reporters, who leaned toward heavier punishment, life imprisonment or death. "The least was 25 years," Roberts said.

Frederick Pottecher, French Broadcasting System, "I do not think he will be electrocuted. I look for an important penalty, about 20 years at least."

John Bulbeck, Reuters (from

Perth, Australia): "A hung jury. Just looking at the jurors you can see they are going to wind up being divided. The professional people among the jurors will try to think out the insanity issue logically, and they'll start losing the others in the jury right there." Bulbeck added, "If it's not hung, they will convict . . . from 20 to 50 years."

Bob Considine, Hearst Headline Service, New York: "I would expect an intermediate sentence. I can't conceive of them killing him . . . but it would be difficult to see how they could show him the way to the door either. I expect something like the Dr. Sam Shepard case, where he will be eligible for parole in about 10 years."

Bob Sanford, Kansas City Star: "I don't think he'll be acquitted or get the electric chair. I look for a midrange sentence, 10 to 20 years, but don't rule out the possibility of a hung jury here."

Ray Coffey, Chicago Daily News: "I think they will find him guilty. I expect him to get 50 years or life." Coffey remarked he felt (Bill) Alexander (assistant district attorney) is a remarkably good cross-examiner. "He turned the tide."

Homer Bigart, New York Times: "I'd be shocked to death if they gave him the electric chair. I think he should be punished. There are too many people in the United States that take the law into their own hands. We just can't let them do it. Of course, with Ruby there are extenuating circumstances. He shot a man accused of—a man everybody in Dallas theorizes—killed the President. Any sentence he gets will be a strong one to a man like Ruby, a broken man who has no ego left. He should have some punishment, unless he is insane. In that case a mental hospital would be punishment enough."

IN COURT'S CHARGE

Jury Gets Choice Of Four Verdicts

Judge Joe B. Brown told jurors in the Jack Ruby murder trial Friday night they have the choice of four verdicts.

Judge Brown gave them the choices in a legal document known as the court's charge. It also contained his instructions on the law which they must follow in arriving at their verdict.

Closing arguments were delayed throughout the afternoon while defense lawyers urged Judge Brown to change the wording of the charge. Despite their protests, he made only minor revisions before reading it to the jury.

Judge Brown told jurors they have the choice of these verdicts.

Guilty of Murder with Malice—The punishment under this verdict could be death in the electric chair or a prison term ranging from two years to life.

Guilty of Murder without Malice—The penalty under this verdict could range from two to five years in prison.

Not Guilty—This is the verdict jurors would return if they felt prosecutors failed to prove Ruby shot Lee Harvey Oswald.

(Judge Brown was required to include it even though defense lawyers concede Ruby fired the fatal shot.)

Not Guilty through Insanity—This is the verdict which jurors would return if convinced Ruby could not distinguish between right and wrong.

If the jury finds Ruby not guilty through insanity, Judge Brown continued, it must rule on his mental condition now as well as at the time of the slaying.

If ruled insane then and now, he would go to a mental hospital. If ruled sane now although insane then, he would go free.

Judge Brown also instructed jurors they should not consider the failure of Ruby to testify in his own defense. And, he said, they should not consider "any experience or knowledge you may have, nor any fact or matter not in evidence in this case."

Discussing the insanity issue, Judge Brown said "partial insanity is not sufficient to exempt him from responsibility." The jurist added, however, that the jury should find a defendant innocent if it agrees there is insanity which "overwhelms the reason, conscience and judgment."

The basic test, Judge Brown noted, is whether the defendant could distinguish between right and wrong.

Judge Brown said that if the jury convicted Ruby and sentenced him to five years or less in prison it could suspend his sentence and let him go free. He pointed out, however, that the jurors were not required to suspend the sentence.



NO \$25 FINE FOR BELLI

Jack Ruby defense attorney, Melvin Belli, was commenting on the difference in Texas law and that of other states.

"Why, you can get anything from the death penalty to a \$25 fine for a cruel, cold-blooded murder here," he said.

"Would you settle for the \$25 fine for Jack Ruby?" asked a reporter.

"Absolutely not," Belli snapped.

7

★ TERM CARRIES PAROLE HOPE

Jack Ruby would become eligible for freedom on parole within 10 years, regardless of the length of the prison sentence assessed by jurors if they convicted him of the murder of Lee Harvey Oswald.

A state law provides that, no matter how long his sentence may be, every Texas convict becomes eligible for parole when he gets credit for serving 15 years.

"By accumulating 'good time' through a clean prison record, a convict could get credit for serving 15 years in less than 10 calendar years.

The Board of Pardons and Paroles considers parole requests. It may free the convict or order him to stay behind prison walls.

Specialist Says Epileptics Unlikely to Commit Murder

You're more likely to get murdered on the streets of any American city than in a hospital for epileptics, a specialist said here Friday.

The observation came from Dr. Frederic Gibbs of Chicago, who testified for the defense as the final witness in the Jack Ruby murder trial.

Dr. Gibbs is a specialist in giving and interpreting electroencephalographic tests. Laymen often refer to these tests as "brain wave" or EEG tests. Electrodes, cemented to the scalp, record electrical impulses given off by the brain.

DEFENSE ATTORNEY Melvin Belli asked Dr. Gibbs:

"Just because a man is an epileptic, it does not necessarily mean that he will commit a crime, does it? We cannot say that an epileptic will commit a crime any more than we can say that a man with a black eye will commit a crime?"

Belli had been the target of bitter criticism because of his claim that Ruby killed Lee Harvey Oswald while in a psychomotor epilepsy seizure.

Dr. Gibbs, who said his efforts to help epileptics led him into his specialty, replied that studies showed epileptics were less likely than others to commit murder.

UNFORTUNATELY, he said, the public has gained the wrong impression as a result of news stories and novels about epileptics who commit crimes.

Dr. Gibbs said only a small number of epileptics are likely to commit crimes of violence as a result of their brain disorders. He said you must have "the proper kind of epilepsy" plus circumstances which "trigger off" the violence.

The handsome, black-haired doctor reminded numerous courtroom spectators of actor Gregory Peck. He held his horn-rimmed glasses in his hands while answering questions from Belli and Assistant Dist. Atty. William F. Alexander, but donned them before examining Ruby's "brain wave" patterns.

Dr. Gibbs said they convinced him Ruby suffered from a "very rare" type of epilepsy.

HE ESTIMATED it is found in 1/2 of 1 per cent of epileptics.

The specialist put Ruby's tracings on the rail of the jury box as he explained his interpretation to the eight men and four women who must decide whether Ruby committed murder when he shot the Marxist accused of assassinating President Kennedy.

Dr. Gibbs, who testified he flew here at his own expense to appear

as a witness, told jurors that Ruby's type of epilepsy "does not manifest itself in convulsive seizures, but in other ways."

WHEN BELLI completed his questioning, he commented, "Perhaps Judge Brown might have some questions."

The judge replied curtly:

"I'm sure the jury has none and neither do I. If they (jurors) did, I wouldn't let them."

Alexander asked Dr. Gibbs if other specialists in the electroencephalographic field referred to him as a "heretic."

"Possibly, but I would prefer to use a different word," Dr. Gibbs replied.

HE SAID he withdrew from an association of specialists because of differences over techniques and policies, but told the jury he has the confidence of nationally known neurosurgeons who send him tracings to interpret.

Alexander got the answer he wanted when he asked his big question.

"Do you have an opinion from your EEG studies as to whether Jack Ruby knew the difference between right and wrong, and the nature and consequences of his acts, on Nov. 24, 1963?" the prosecutor asked.

"I have no opinion," Dr. Gibbs replied.

AFTER 50 YEARS

Dispatcher Can Recall Top Stories

Floyd (Sonny) Kemp, Western Union telegraph operator, completed 50 years of service with that organization Friday, working on one of his biggest assignments — the Jack Ruby murder trial.

Kemp is supervising Western Union's handling of press copy in the Records Building, where reporters from all over the world have gathered to cover the case.

In his long service, Kemp has flashed the words of reporters on many big stories, including numerous national Democratic and Republican conventions, the Texas City disaster, the formation of the United Nations in San Francisco, the New London school explosion and scores of sporting events.

Kemp was presented a watch Friday by Western Union district manager L. R. Wilcox. It was an "on the job" ceremony, performed in the Ruby trial press room, amid the clatter of teletype machines.

RUBY TRIAL

Wade Sees Long Term As Victory

Dist. Atty. Henry Wade said Friday he would regard a long prison term in the Jack Ruby murder trial as a prosecution victory.

Wade said, however, that he thinks Ruby should die in the electric chair and hopes jurors will assess the death penalty.

The district attorney's comment came when a reporter asked if he sincerely believed Ruby should forfeit his life because he shot Lee Harvey Oswald, the Marxist accused of assassinating President John F. Kennedy.

Wade replied:

"I wouldn't have asked for the death penalty if I hadn't thought it appropriate. I would vote it if on the jury myself. But I would regard a life term or other long sentence as a victory.

Wade said he would regard a jury deadlock as the "worst possible" conclusion for the month-long trial.

Jury Must Answer One Basic Question

Jurors in the Jack Ruby murder case, who heard 66 witnesses during the month-long trial, must answer one basic question:

Did Jack Ruby know right from wrong when he shot Lee Harvey Oswald while millions watched on television.

The jury's answer could determine whether Ruby lives or dies.

Ruby's lawyers admit the 32-year-old manager of a Dallas nightclub, which featured girlie shows fired a lethal bullet into Oswald after his arrest as the prime suspect in the assassination of President John F. Kennedy.

The lawyers based their entire defense on an insanity plea.

If the eight men and four women on the jury agree that Ruby could distinguish between right and wrong, they must find him guilty of murder.

Then they would set his penalty. It could range from death in the electric chair to two years in prison.

If jurors assessed a prison term of five years or less, they could suspend the sentence and let Ruby walk out of the courtroom a free man. But even defense lawyers considered this possibility remote.

If jurors agree Ruby could not distinguish between right and wrong when he squeezed the trigger of his Colt Cobra revolver,

they would find him innocent of the murder charge since he would have been insane in the eyes of the law.

He would go to a state mental hospital for the criminally insane if the jury agreed he was still insane. On the otherhand, if he was ruled sane at this time, he would go free.

Prosecution psychiatrists said Ruby was sane.

Defense psychiatrists said he was insane.

Defense lawyers said Ruby "blacked out" when he saw Oswald with "a rat-like smirk" on his face. Then, the lawyers contended, Ruby pulled the trigger while in a trance, unaware of what he was doing.

Prosecutors said Ruby plotted the shooting and carried it out like a cold-blooded executioner in the belief it would bring him "fame and fortune."

They scoffed at the defense contention that he shot while in an epileptic seizure triggered by grief following the presidential assassination.

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Defense Moves

Stall Ruby

Trial

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 The Evening Star _____
 New York Herald Tribune _____
 New York Journal-American _____
 New York Mirror _____
 New York Daily News _____
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 The New Leader _____
 The Wall Street Journal _____
 The National Observer _____
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Instructions To Jurors Protested

Night Session Set As Judge Seeks to Get Case to Panel

By Preston McGraw

DALLAS, March 13 (UPI)

A point-by-point debate over the Judge's instructions to the jury today stalled Jack Ruby's murder trial in its closing moments, forcing night session.

Despite objections to the Court's charge to the jury, Judge Joe B. Brown said he planned to issue his instructions, have the final arguments and give the case to the jury tonight. Night session was called for 8:30 p.m. (EST).

Television networks, with approval, stood by to televise the verdict as they had the shooting of Lee Harvey Oswald.

Ruby's lawyers found 40 objections in the first four pages of the 11-page charge to the jury and were arguing every one before going on to the next seven pages.

Accused of Stalling

The hubbub swirled up and down the corridors as court was recessed.

Attorneys held impromptu press conferences in the hallways as Judge Brown ambled from one to the other, cheerfully hearing the defense denounce his charge as a "cold blooded murder" charge drawn up by the District Attorney.

District Attorney Henry Wade's assistants accused the defense of "stalling." Wade said there nothing wrong with the charge—it is the same as those given at previous trials.

[As an example of the defense objections, the Associated Press reported, Judge Brown had proposed to instruct the jury to consider "the previous relationship, if any, existing between the accused and the deceased."

["Said statement," the defense complaint read, "is prejudicial in light of the enormous publicity concerning a relationship between Jack Ruby and the accused assassin of the President of the United States and for the further reason that there is no evidence of any relationship between the defendant and the deceased and to allow this statement to go before the jury would be charging the jury on some law that is not sup-

See RUBY, A6, Col. 7

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The New Leader _____
The Wall Street Journal _____
The National Observer _____
People's World _____
Date _____

A 6. Saturday, March 14, 1964 THE WASHINGTON POST

RUBY—From Page A1

Ruby Trial Is Stalled By Defense Objections

ported by facts in the evidence."

Rabbi Hillel Silverman said the 52-year-old defendant was "fit to be tied" in his cell. He was unhappy over the last defense witness, Dr. Frederick A. Gibbs of Chicago.

"He thinks Gibbs harpooned him," said the rabbi. But Ruby publicly predicted acquittal.

During a lengthy recess, Wes Wise, a newsman for Dallas television station KRLD asked Ruby in writing how he felt. Ruby wrote:

"Confused."

"Do you think you will be acquitted?"

"Yes," Ruby wrote.

The haggard, tense-looking defendant said he wanted to testify in his own defense but his attorneys "know better."

The 66th and final witness in the 22-day-old trial capped the defense argument.

Dr. Gibbs of Chicago, a specialist in electroencephalogram (brain wave) readings, testified that Ruby suffers from a "particular, very rare" form of epilepsy that causes blackouts.

But Gibbs, whose theories formed the basis of the defense insanity plea, had "no opinion" on whether the 52-year-old striptease club oper-

ator knew right from wrong.

Judge Brown announced that the verdict would be televised. One television camera (CBS) will record it live—as cameras recorded the slaying of Oswald.

Judges in Texas have authority to allow or bar cameras and microphones as they see fit. Until today, Brown saw fit to keep them out.

Prosecution and defense attorneys are allowed two hours each for final argument before the case goes to the jury.

Chief Defense Attorney Melvin Belli boasted that he had more than 28 "reversible errors" to throw out any conviction in an appeals court.

He said District Attorney Wade "led" the Court into the errors.

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New Ruby Trial Is Turned Down

DALLAS, Aug. 7 (AP).— Judge Joe B. Brown turned down an application today for a new trial of Jack Ruby, given the death sentence for killing Lee Harvey Oswald, accused slayer of President Kennedy.

Next step in the appeal procedure is for Ruby's lawyers to take the case to the Texas Court of Criminal Appeals, the highest criminal appeals court in Texas unless a constitutional question is involved.

Before his ruling, Judge Brown said, "The trial record does not support some of the statements" defense lawyers made in petitioning for a new trial.

Defense Attorney Clayton Fowler, Joe Tonahill, Phil Burleson and Emmett Colvin, Jr., cited reasons why they believe Ruby should get a new trial when they filed documents known as formal bills of exception July 28.

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 The Wall Street Journal _____
 The National Observer _____
 People's World _____
 Date _____

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(Mount Clipping in Space Below)

Wade Denies Data On Ruby Withheld

By CARL FREUND

Dist. Atty. Henry Wade denied Wednesday that his staff withheld evidence about Jack Ruby's mental condition when the striptease club manager faced a jury on a charge of murdering Lee Harvey Oswald.

Defense lawyers said Tuesday Wade should have revealed that Ruby was treated in an Illinois mental hospital while a boy. They argued that the information was in an FBI report furnished to prosecutors and that it would have bolstered the defense plea of temporary insanity.

"We didn't withhold anything," Wade retorted. "We didn't have this information at the time of Ruby's trial. Actually, I can't see that it makes any difference anyway what happened to him when he was a 10-year-old boy. I can't see how it would have any bearing on the murder charge against him."

Meanwhile, Clayton Fowler, Ruby's chief defense lawyer, said he would ask Probate Judge F. W. Bartlett Jr. to remove his name from a request that the jurist appoint a guardian for Ruby.

"I signed the request at the urging of Sol Dann," Fowler said. "He drew it up. It's his baby. As far as I'm concerned, it is immaterial whether Judge Bartlett appoints a guardian."

Fowler and Dann, a Detroit attorney who describes himself as legal adviser for the Ruby family, exchanged sharp words last week. Each tried to fire the other from further participation in Ruby's appeal from his death penalty.

Fowler said Dann informed him the Ruby family intends to hire another Dallas lawyer to represent it at a guardianship hearing which Judge Bartlett will tell prosecutors there how scheduled Aug. 6. If a guardian

is appointed, he will conduct Ruby's business affairs while the 33-year-old killer is in the county jail. Wade declined comment on a defense claim that Police Sgt. Patrick Dean testified falsely. Fowler and three other defense lawyers — Phil Burleson, Emmett Colvin Jr. and Joe Tonahill — attacked Dean's testimony as they listed 15 reasons why they think the Texas Court of Criminal Appeals should grant Ruby a new trial.

"We regard all 15 reasons as extremely important," Fowler said. "The court of Criminal Appeals could properly grant a new trial on any of them. But Dean's testimony may well be the most important. It was highly damaging to the defense since it showed premeditation."

Defense lawyers say Judge Joe B. Brown should not have permitted Dean to relate statements which he said Ruby made while under arrest. The officer quoted Ruby as saying he planned to murder Oswald after the 24-year-old Marxist was accused of assassinating President Kennedy here.

"We'll reply to this argument in our brief," Wade said. "I think the Court of Criminal Appeals will agree Dean's testimony is admissible under the circumstances."

Although Judge Brown will not end his vacation until next week, Wade said he has been informed the jurist has started "qualifying" the 15 defense complaints. This is a process in which the judge gives his version of what took place and states reasons for his rulings.

Wade will fly to Michigan Tuesday for a speech in which he says staff got the death penalty in the Ruby trial.

Mr. Tolson	_____
Mr. Belmont	_____
Mr. Mohr	_____
Mr. Casper	_____
Mr. Callahan	_____
Mr. Conrad	_____
Mr. DeLoach	_____
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Mr. Gale	_____
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Mr. Tavel	_____
Mr. Trotter	_____
Tele. Room	_____
Miss Holmes	_____
Miss Gandy	_____

(Indicate page, name of newspaper, city and state.)

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"The Dallas
Morning News"
Dallas, Texas

Beane, J. W. B. Jr.

Beane, J. W. B. Jr.

12/1/64

Date: 7-30-64
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Author:
Editor: Jack B. Krueger
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Submitting Office: Dallas
☐ Being Investigated

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22-2223-2224-2225-2226-2227-2228-2229-2230-2231-2232-2233-2234-2235-2236-2237-2238-2239-2240-2241-2242-2243-2244-2245-2246-2247-2248-2249-2250-2251-2252-2253-2254-2255-2256-2257-2258-2259-2260-2261-2262-2263-2264-2265-2266-2267-2268-2269-2270-2271-2272-2273-2274-2275-2276-2277-2278-2279-2280-2281-2282-2283-2284-2285-2286-2287-2288-2289-2290-2291-2292-2293-22

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Ruby Lawyers Ask for New Trial

By CARL FREUND

Attorneys for Jack Ruby cited 15 reasons Tuesday why they think the killer should get a new trial.

Most of their complaints, which were filed as a midnight deadline approached, involved rulings by Judge Joe B. Brown during Ruby's murder trial.

Attorneys Clayton Fowler, Emmett Colvin Jr., Phil Burleson and Joe Tonahill contended that Judge Brown should have moved Ruby's trial to another county. They said the jurist also committed a legal error when he refused to let defense lawyers ask prospective jurors whether they were "Democrats, Republicans or members of the John Birch Society."

In addition, the lawyers said Judge Brown violated Ruby's constitutional rights by insisting that attorneys make their final jury arguments while they were physically and mentally exhausted.

Burleson said one of the 15 bills filed Tuesday is the biggest ever submitted to a Texas court.

This bill involved Judge Brown's refusal to transfer Ruby's trial to another county. Defense lawyers made stacks of newspapers part of this bill.

Ruby's attorneys contend the newspapers carried prejudicial stories which blocked the former striptease club manager from getting a fair trial here on a charge of murdering Lee Harvey Oswald.

Another bill questioned accu-

racy of testimony by Police Sgt. Patrick Dean, who told of a conversation with Ruby shortly after he shot Oswald.

Defense lawyers said Dean's testimony helped bring the death penalty. Judge Brown should not have allowed the jury to hear this testimony, they argued, since Ruby was under arrest.

Judge Brown has 10 days in which to "qualify" the bills. This is a process in which he gives his version of what took place in his courtroom and states reasons for his rulings.

Ruby's lawyers state in other bills that:

--Judge Brown should have granted their request for a separate sanity hearing.

--They were forced to use challenges to disqualify prospective jurors with fixed opinions.

--Judge Brown should have disqualified prospective jurors who saw Ruby shoot Oswald on their television screens.

--Judge Brown should have permitted them to introduce the murder complaint which accused Oswald of assassinating President John F. Kennedy here.

--Judge Brown should have forced prosecutors to furnish defense lawyers with copies of medical records which involved the "mental history" of Ruby's mother; a brother, Earl Ruby, and a sister, Mrs. Eileen Haminsky, and which showed that Ruby, himself, had been a patient in a mental hospital while a boy.

Mr. Tolson	_____
Mr. Belmont	_____
Mr. Mohr	_____
Mr. Casper	_____
Mr. Callahan	_____
Mr. Conrad	_____
Mr. DeLoach	_____
Mr. Evans	_____
Mr. Gale	_____
Mr. Rosen	_____
Mr. Sullivan	_____
Mr. Tavel	_____
Mr. Trotter	_____
Tele. Room	_____
Miss Holmes	_____
Miss Gandy	_____

(Indicate page, name of newspaper, city and state.)

"The Dallas
Morning News"
Dallas, Texas

Date: 7-29-64
Edition:
Author:
Editor: Jack B. Krueger
Title:

Character:

or

Classification:

Submitting Office: Dallas

☐ Being Investigated

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File
C-117

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RUBY TRIAL FALSITY CLAIMED

An attorney for Jack Ruby indicated Wednesday defense lawyers would rely heavily on a claim that a key state witness gave false testimony on the stand during the condemned man's trial for the slaying of Lee Harvey Oswald.

The allegation was contained in one of 15 bills of exception filed Tuesday in Dist. Judge Joe B. Brown's court as the first step in the defense campaign to gain a reversal of Ruby's death penalty conviction from the Texas Court of Criminal Appeals at Austin.

The formal bills were filed by Dallas attorneys Phil Burleson and Emmett Colvin Jr. The papers were also signed by chief defense counsel Clayton Fowler of Dallas and Joe H. Tonahill of Jasper, despite renewed efforts by a Detroit lawyer and members of Ruby's family to oust the two from the case.

One of the bills of exception filed Tuesday claimed that Dallas Police Sgt. Patrick T. Dean presented false testimony "which was a contributing cause of the conviction and death penalty."

The bill alleged that Sgt. Dean testified to statements Ruby made in jail within 10 minutes after his shooting of Oswald in the basement of City Hall. The defense claims the police officer's testimony was incorrect because of the time element. The bill of exception alleged Sgt. Dean did not see Ruby in the city jail until at least 20 minutes after the shooting.

The defense also claimed that Sgt. Dean's testimony of what Ruby said in jail was "prejudicial, harmful, damaging, inflammatory and inadmissible because the defendant was under arrest."

Dist. Atty. Henry Wade said Wednesday that the state could find nothing new in the bills of exception. He said the same alleged errors were cited by defense attorneys when they presented a motion for new trial to Judge Brown in April.

"They claim we knew about a document being withheld on Ruby's treatment for a mental condition as a child," Mr. Wade said. "We did not know anything

Mr. Tolson _____
Mr. Belmont _____
Mr. Mohr _____
Mr. Casper _____
Mr. Callahan _____
Mr. Conrad _____
Mr. DeLoach _____
Mr. Evans _____
Mr. Gale _____
Mr. Rosen _____
Mr. Sullivan _____
Mr. Tavel _____
Mr. Trotter _____
Tele. Room _____
Miss Holmes _____
Miss Gandy _____

(Indicate page, name of newspaper, city and state.)

21 "The Dallas
Times-Herald"
Dallas, Texas

Date: 7-29-64
Edition:
Author:
Editor: Felix R. McKnight
Title:

Character:
or
Classification:
Submitting Office: Dallas
☐ Being Investigated

6 AUG 26 1964

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FILING RUBY'S APPEAL

Stacks of newspapers are put into the record as attorneys for Jack Ruby file 15 bills of exception as part of the condemned slayer's appeal to the Texas Court of Criminal Appeals. Filing the papers are defense attorneys Phil Burleson, left, and Emmett Colvin Jr. Checking over the stacks is Roamie Burg, right, clerk for District Judge Joe B. Brown, in whose court the papers were filed.—Staff Photo.

about such a document at the time of the trial."

The district attorney also said defense contentions that Sgt. Dean gave false testimony had no basis and that prosecutors are convinced that the police officer told the truth on the stand.

Other errors alleged in the 15 bills of exception were that Judge Brown erred by limiting the scope of the defense's examination of prospective jurors, by causing the defense to use its peremptory challenges when some jurors should have been struck for cause.

ERRORS CLAIMED

The defense bills also claimed error in the court allowing Dist. Judge J. Frank Wilson to sit for Judge Brown during jury selection while a motion for change of venue was still pending, in not holding a separate pre-trial sanity hearing as requested by the defense and in not allowing the defense to subpoena prospective jurors who saw the shooting of Oswald on television as witnesses.

The defense bills also charged that Judge Brown committed error in not recessing the trial overnight for final arguments to the jury after lengthy testimony, thus forcing defense lawyers to argue when they were "physically exhausted and unable to proceed to argument in the best interest of their client . . . and at a time when the jury was physically tired and in need of sleep."

Another defense claim was that pertinent mental histories of members of Ruby's family were not allowed in evidence and that proof that Ruby had been treated as a child for mental condition was withheld by the state.

(Mount Clipping in Space Below)

Ruby's Lie Test Results May Set Record Straight

Resolution of numerous mysteries surrounding the slaying of Lee Harvey Oswald hinged Thursday on the outcome of a lie detector test.

If Jack Ruby told the truth during the examination last Saturday—reported exclusively and in its entirety in Wednesday's Times Herald—investigators, and the curious, may discount:

- An unexplained copy of the Wall Street Journal found in Jack Ruby's automobile.

- A large sum of money found on Jack's person following the sensational slaying.

- A long-distance telephone call to Ruby prior to the time he gunned down President Kennedy's accused assassin.

- That Ruby entered the City Hall basement through an alley entrance.

- Or that he acted in collusion with anyone in the slaying.

ANNOUNCEMENT SEEN

The results of the lie detector test have not been announced but those and many other questions may be resolved with that announcement.

Even assuming that Ruby answered truthfully, the presence of the Wall Street Journal found in his automobile remains a minor mystery.

Ruby told questioners he had no knowledge of the newspaper, addressed to J. E. Bradshaw, vice president of Southwestern Drug Corp.

And Mr. Bradshaw, who said the newspaper was his, could not explain how it came to be in Ruby's automobile. He said he was on vacation in Arizona at the time and did not know Ruby.

HIRED KILLER?

The presence of a large roll of cash — \$2,200 — found in Ruby's pocket by police after his arrest led some to believe the Dallas nightclub operator was a hired killer.

In preliminary questioning Ruby said the money was proceeds from two nightclubs with which he was associated. He told the lie detector operator he was carrying the money because he had not been able to go to the bank to make a deposit.

Then there has been the suggestion of someone else via a long-distance telephone call.

NO TO QUESTION

Ruby answered "No" to the question: "Did any long distance calls to you before the assassination have any connection with you, shooting Oswald?"

(During pre-trial hearings, however, a defense psychologist quoted Ruby as saying that prior to the shooting he had called many friends throughout the country.)

The question-and-answer transcript also disclosed an interest by investigators in Ruby's entrance into the City Hall basement.

In elaboration to another answer Ruby told his questioner he had walked down the Main Street ramp into the basement.

Ruby then answered "No" to questions if he had entered the basement through an "east" door of the City Hall off the alley between Main and Commerce streets.

In his answers to the questioning Ruby said he killed Oswald to save President Kennedy's widow the pain of coming to Dallas for a trial.

He denied killing Oswald "to see him" or at the direction of any "foreign country."

Mr. Tolson	_____
Mr. Belmont	_____
Mr. Mohr	_____
Mr. Casper	_____
Mr. Callahan	_____
Mr. Conrad	_____
Mr. DeLoach	_____
Mr. Evans	_____
Mr. Gale	_____
Mr. Rosen	_____
Mr. Sullivan	_____
Mr. Tavel	_____
Mr. Trotter	_____
Tele. Room	_____
Miss Holmes	_____
Miss Gandy	_____

(Indicate page, name of newspaper, city and state.)

1 "The Dallas
Times-Herald"
Dallas, Texas

Date: 7-23-64
Edition:
Author:
Editor: Felix R. McKnight
Title:

Character:
or
Classification:
Submitting Office: Dallas

☐ Being Investigated

67 AUG 25 1964

File
6-A17

(Mount Clipping in Space Below)

Paper in Ruby Car Puzzles Officials

A minor mystery has developed and doesn't have any idea what it was doing in his car." FBI agents asked about the newspaper when they gave Ruby a lie detector test in the county jail Saturday. In reply to their questions, Ruby stated he did not buy the newspaper and had no knowledge that it was in his car.

The newspaper, a Nov. 16 issue of the Wall Street Journal, was addressed to a J. E. Bradshaw.

Although prosecutors say they know of nothing which would link the newspaper with the slaying of Lee Harvey Oswald, FBI agents and a representative of the Warren Commission have expressed an interest in it.

"Jack tells me he is mystified," defense attorney Joe Tona-hill said. "He says he never read the Wall Street Journal, had not seen a copy of the Nov. 16 issue."

Ruby said he made the decision after reading on the morning of Nov. 24 that lawyers might call Mrs. Kennedy as a witness during Oswald's trial on a charge of murdering her husband.

When he saw detectives leading the manacled Oswald through the City Hall basement later in the morning, Ruby continued, he decided this was the opportunity he wanted.

Ruby offered detailed explanations for his acts while talking to FBI agents, Warren Commission representatives and lawyers who went to the county jail for the lie detector test. The FBI agents told him, however, that he should give "yes" or "no" answers while the polygraph was operating.

Mr. Tolson _____
Mr. DeLoach _____
Mr. Mohr _____
Mr. Casper _____
Mr. Callahan _____
Mr. Conrad _____
Mr. Felt _____
Mr. Gale _____
Mr. Rosen _____
Mr. Sullivan _____
Mr. Tavel _____
Mr. Trotter _____
Tele. Room _____
Miss Holmes _____
Miss Gandy _____

(Indicate page, name of newspaper, city and state.)

11 "The Dallas
Morning News"
Dallas, Texas

Date: 7-23-64

Edition:

Author:

Editor: Jack B. Krueger

Title:

Character:

or

Classification:

Submitting Office: Dallas

☐ Being Investigated

NOT RECORDED
191 AUG 5 1964

Tolson ☒
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 Evans ☐
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 Tavel ☐
 Trotter ☐
 Tele. Room ☐
 Holmes ☐
 Gandy ☐

UPI-167

(RUBY)

DALLAS--A GROUP OF TEXAS LAWYERS REPRESENTING JACK RUBY TODAY WON A FIGHT AGAINST THE RUBY FAMILY AND THE FAMILY LAWYERS TO CHANGE THE CHIEF DEFENSE ATTORNEY A FIFTH TIME.

CLAYTON FOWLER--THE FIFTH MAN TO HEAD THE DEFENSE FOR RUBY--SAID THE FAMILY HAD AGREED TO TERMS PRESENTED BY THE TEXAS LEGAL TEAM THAT HAS BEEN WORKING TO APPEAL THE DEATH SENTENCE GIVEN RUBY.

YESTERDAY, THE FAMILY AND A DETROIT LAWYER TRIED TO FIRE FOWLER AND JOE H. TONAHILL, AN ASSISTANT WHO HAD BEEN ON THE CASE SINCE BEFORE RUBY WAS TRIED AND CONVICTED FOR THE MURDER OF LEE HARVEY OSWALD.

BUT FOWLER, TONAHILL AND TWO OTHER ASSISTANTS, PHIL BURLESON AND EMMETT COLVIN, DEMANDED THAT THE RUBY FAMILY STAY OUT OF THE CASE AND KEEP THEIR LAWYERS FROM INTERFERING. TODAY, THE RUBY FAMILY AGREED.

7/23--N435PED

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13 AUG 1964

93
66 AUG 4 1964

WASHINGTON CAPITAL NEWS SERVICE

Tolson ☒
 Belmont ☒
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 Callahan ☒
 Conrad ☒
 DeLoach ☒
 Evans ☒
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 Rosen ☒
 Sullivan ☒
 Tavel ☒
 Trotter ☒
 Tele. Room ☒
 Holmes ☒
 Gandy ☒

UPI-94

(RUBY)

DALLAS.--THE FAMILY OF CONDEMNED SLAYER JACK RUBY WAS EXPECTED TO SIGN TODAY A COMMITMENT THAT WILL END A CONTINUAL TURNOVER OF LAWYERS IN THE CASE. RUBY HAS HAD FIVE CHIEF ATTORNEYS SINCE HE KILLED LEE HARVEY OSWALD LAST NOV. 24.

PHIL BURLESON AND EMMETT COLVIN, TWO DALLAS LAWYERS WHO HAVE SO FAR ESCAPED THE CHARGES, DEMANDED LAST NIGHT THAT RUBY'S THREE BROTHERS AND TWO SISTERS SIGN A COMMITMENT.

BURLESON AND COLVIN ANNOUNCED THAT THEY HAD ASKED FOR THE COMMITMENT AFTER A CONFERENCE WITH SOL DANN, A DETROIT LAWYER WHO FLEW TO DALLAS LAST NIGHT. LAWYER GEORGE WOODS OF DETROIT ALSO ATTENDED.

7/23--JD1245PED

66 AUG 4 1964

WASHINGTON CAPITAL NEWS SERVICE

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 Gandy _____

Ruby Kin Fire Fifth Lawyer

DALLAS, July 23 (UPI).— Jack Ruby's family has fired their brother's fifth chief defense lawyer. Two other Ruby lawyers later agreed to try to get the family to "eliminate the future entry and exits of the stream of attorneys" for the condemned slayer of President Kennedy's accused assassin.

The family dismissed Clayton Fowler, chief defense counsel, and J. H. Tonalill of Jasper, Tex., an assistant who had been on the case since flamboyant Melvin Belli was hired.

Ruby's family accused Mr. Tonalill and Mr. Fowler of "negligence and squabbling over details."

The Washington Post and Times Herald _____
 The Washington Daily News _____
 The Evening Star _____
 New York Herald Tribune _____
 New York Journal-American _____
 New York Mirror _____
 New York Daily News _____
 New York Post _____
 The New York Times _____
 The Worker _____
 The New Leader _____
 The Wall Street Journal _____
 The National Observer _____
 People's World _____
 Date _____

JUL 23 1964

66 AUG 4 1964

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Transcript of Ruby Questioning By FBI's Polygraph Operators

Accused Killer of Oswald Denies Any Link to Communist Party

DALLAS, July 22 (AP) Jack Ruby told FBI polygraph operators that he had no intention of killing accused presidential assassin Lee Harvey Oswald until moments before he fired, the Dallas Times Herald reported today in a copyright story.

The story was from the paper's Washington Bureau and did not state how the paper obtained a transcript of the questions and answers.

The tests were made last Saturday in the Dallas County jail, where Ruby has been held since shortly after the slaying of the man accused of assassinating President Kennedy.

Ruby is under death sentence for killing Oswald Nov. 24, two days after Mr. Kennedy was shot.

The polygraph tests were given at Ruby's request. Also present was a member of the presidentially appointed Warren Commission, which is investigating the assassination.

There has been no official report made public as to whether the tests showed Ruby was telling the truth during the tests.

Following is the question and answer transcript in part:

Q. Did you know Oswald before Nov. 22, 1963?

A. No.

Q. Did you know Oswald after the assassination of President Kennedy?

A. No.

Q. Are you now a member of the Communist Party?

A. No.

Q. Have you ever been a member of the Communist Party?

A. No.

Q. Are you now a member of any group who advocates the violent overthrow of the United States Government or have you ever been?

A. No.

Q. Were you born in the United States?

A. Yes.

Q. Between the time of the assassination of President Kennedy and the shooting of Oswald did you tell anyone that you knew Oswald?

A. No.

Q. Did you tell anyone on Saturday you were going to shoot Oswald? (Mr. Kennedy was killed Friday.)

A. No.

Q. Did you tell anyone on Saturday you were going to shoot Oswald? (A repetition of the question.)

A. (Ruby explained that he had told Chief Justice Earl Warren that he had told George Senator, his roommate, someone should "do away with Oswald," but added that he had told no one he was going to kill him and that he didn't recommend to Senator that he should kill him.)

The Washington Post and Times Herald _____
 The Washington Daily News _____
 The Evening Star _____
 New York Herald Tribune _____
 New York Journal-American _____
 New York Mirror _____
 New York Daily News _____
 New York Post _____
 The New York Times _____
 The Worker _____
 The New Leader _____
 The Wall Street Journal _____
 The National Observer _____
 People's World _____
 Date _____

JUL 23 1964



United Press International

JACK RUBY

... takes lie test

assassination have any connection with you shooting Oswald?

A: No.

Q: Did you shoot Oswald

to save Mrs. Kennedy a trip to Dallas to testify in a trial?

A: Yes.

Q: Did you know Officer Tippit?

A: No.

Q: Did you meet Officer Tippit and Oswald at your night club?

A: No.

Q: Did you get any long distance calls about Oswald before the shooting?

A: No.

Q: Were you at Parkland Hospital on Friday at any time? (Mr. Kennedy died there.)

A: No.

Q: Are any members of your family in danger?

(Ruby did not answer.)

Q: Are you a 100 per cent patriotic American?

A: Yes.

Q: Has everything you have testified to today been the complete truth?

A: Yes.

Q. Did you tell anyone you were going to shoot Oswald from the time you left your apartment on Sunday morning? (Ruby killed Oswald Sunday.)

A. No.

Q. Aside from your comment to George Senator, did you ever tell anyone else you intended to shoot Oswald?

A. No.

Q. Did you shoot Oswald in order to silence him?

A. No.

Q. Did you first decide to shoot Oswald on Friday night?

A. No.

Q. Did you first decide to shoot Oswald on Saturday morning?

A. No.

Q. Did you first decide to

shoot Oswald on Sunday morning?

A. Yes. (Ruby elaborated to say that the decision was made when he walked down the ramp of the City Hall basement and saw Oswald approaching.)

Q. Did you enter the building by walking through an alley?

A. No.

Q. Did you see the armored truck when it entered the basement?

(The armored truck was a decoy and officers planned to transfer Oswald from the city jail to the county jail in a sedan.)

A. No.

Q. Did you enter the jail from the east through an alley?

A. No.

Q. After you talked to Little Lynn did you know Oswald was going to be moved? (Little Lynn was a stripper in Ruby's club who had telephoned him from Fort Worth asking that he telegraph her \$25 immediately.)

A. No.

Q. Did anyone tell you before you left your apartment and got to the City Hall that Oswald was going to be moved?

A. No.

(During a rest in the tests at this point, Ruby said that he had killed Oswald after becoming "carried away emotionally" by the tragedy and in hopes that Mrs. Kennedy would not have to return to Dallas for a trial of Oswald.)

Q. Did you or any of your friends make a telephone call to the FBI Sunday morning between 2 and 3 a.m.?

A. No.

Q. Did you or any of your friends telephone the Sheriff's office Sunday morning between 2 and 3 a.m.?

A. No.

Q. Did you go to the synagogue Friday night?

A. Yes.

Q. Do you pray?

A. Yes. (He added that apparently his prayers weren't being answered.)

Q. Did you see Oswald in the Dallas city jail Friday night?

A. Yes.

Q. Were you at one time employed by a union?

A. Yes.

Q. Did you have a gun on you when you went to the Friday night press conference? (Oswald was taken to the press conference.)

A. No.

Q. Is everything that you have told the Warren Commission the entire truth?

A. Yes.

Q. Have you ever knowingly attended a meeting of the Communist Party?

A. No.

Q. Have you ever knowingly attended a meeting of any group who advocates the violent overthrow of the United States Government?

A. No.

Q. To your knowledge is any member of your family a member of the Communist Party or a member of any organization that advocates the overthrow of the United States Government?

A. No.

Q. Are any friends of yours a member of the Communist Party or a member of any organization that advocates the violent overthrow of the United States Government?

A. No.

Q. To your knowledge have any of your close friends or immediate family ever attended a meeting of the Communist Party?

A. No.

Q. Do you know, to the best of your knowledge, whether any member of your immediate family ever attended a meeting advocating the violent overthrow of the United States Government?

A. No.

Q. Did you ever meet Oswald at the Post Office box? (Their boxes were only a few feet apart.)

A. No.

Q. Did you use your Post Office box to do business with Cuba or Mexico?

A. No.

Q. Did you ever meet officer J.D. Tippit and Oswald at the Carousel? (Tippit was slain Nov. 22 and Oswald was charged with his murder. The Carousel was the strip tease club Ruby operated.)

A. No.

Q. Did you ever do business with Castro's Cuba?

A. No.

Q. Was your trip to Cuba for pleasure only?

A. Yes.

Q. Did you keep \$2200 in cash on you because you couldn't go to the bank to make a deposit?

A. Yes.

Q. Did any foreign country influence you or cause you to shoot Oswald?

A. No.

Q. Did you shoot Oswald because of any labor union influence?

A. No.

Q. Did any long distance calls to you before the as-

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 Holmes _____
 Gandy _____

Jack L Ruby
has been in custody
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Transcript of Ruby Questioning By FBI's Polygraph Operators

Accused Killer of Oswald Denies
 Any Link to Communist Party

Jack Ruby



NOT RECORDED
 191 JUL 24 1964

The Washington Post and Times Herald *A-3*
 The Washington Daily News _____
 The Evening Star _____
 New York Herald Tribune _____
 New York Journal-American _____
 New York Mirror _____
 New York Daily News _____
 New York Post _____
 The New York Times _____
 The Worker _____
 The New Leader _____
 The Wall Street Journal _____
 The National Observer _____
 People's World _____
 Date *7-23-64*

Triller
Six

6 JUL 27 1964

DALLAS, July 22 (AP) Jack Ruby told FBI polygraph operators that he had no intention of killing accused presidential assassin Lee Harvey Oswald until moments before he fired, the Dallas Times Herald reported today in a copyright story.

The story was from the paper's Washington Bureau and did not state how the paper obtained a transcript of the questions and answers.

The tests were made last Saturday in the Dallas County jail, where Ruby has been held since shortly after the slaying of the man accused of assassinating President Kennedy.

Ruby is under death sentence for killing Oswald Nov. 24, two days after Mr. Kennedy was shot.

The polygraph tests were given at Ruby's request. Also present was a member of the presidentially appointed Warren Commission, which is investigating the assassination.

There has been no official report made public as to whether the tests showed Ruby was telling the truth during the tests.

Following is the question and answer transcript in part:

Q. Did you know Oswald before Nov. 22, 1963?

A. No.

Q. Did you assist Oswald in the assassination of President Kennedy?

A. No.

Q. Are you now a member of the Communist Party?

A. No.

Q. Have you ever been a member of the Communist Party?

A. No.

Q. Are you now a member of any group who advocates the violent overthrow of the United States Government or have you ever been?

A. No.

Q. Were you born in the United States?

A. Yes.

Q. Between the time of the assassination of President Kennedy and the shooting of Oswald did you tell anyone that you knew Oswald?

A. No.

Q. Did you tell anyone on Saturday you were going to shoot Oswald? (Mr. Kennedy was killed Friday.)

A. No.

Q. Did you tell anyone on Saturday you were going to shoot Oswald? (A repetition of the question.)

A. Ruby explained that he had told Chief Justice Earl Warren that he had told George Senator, his roommate, someone should "do away with Oswald," but added that he had told no one he was going to kill him and that he didn't recommend to Senator that he should kill him.)

Q. Did you tell anyone you were going to shoot Oswald from the time you left your apartment on Sunday morning? (Ruby killed Oswald Sunday.)

A. No.

Q. Aside from your comment to George Senator, did you ever tell anyone else you intended to shoot Oswald?

A. No.

Q. Did you shoot Oswald in order to silence him?

A. No.

Q. Did you first decide to shoot Oswald on Friday night?

A. No.

Q. Did you first decide to shoot Oswald on Saturday morning?

A. No.

Q. Did you first decide to

shoot Oswald on Sunday morning?

A. Yes. (Ruby explained to say that the decision was made when he walked down the ramp of the City Hall basement and saw Oswald approaching.)

Q. Did you enter the building by walking through an alley?

A. No.

Q. Did you see the armored truck when it entered the basement?

(The armored truck was a decoy and officers planned to transfer Oswald from the city jail to the county jail in a sedan.)

A. No.

Q. Did you enter the jail from the east through an alley?

A. No.

Q. After you talked to Little Lynn did you know Oswald was going to be moved? (Little Lynn was a stripper in Ruby's club who had telephoned him from Fort Worth asking that he telegraph her \$25 immediately.)

A. No.

Q. Did anyone tell you before you left your apartment and got to the City Hall that Oswald was going to be moved?

A. No.

(During a rest in the tests at this point, Ruby said that he had killed Oswald after becoming "carried away emotionally" by the tragedy and in hopes that Mrs. Kennedy would not have to return to Dallas for a trial of Oswald.)

Q. Did you or any of your friends make a telephone call to the FBI Sunday morning between 2 and 3 a.m.?

A. No.

Q. Did you or any of your friends telephone the Sheriff's office Sunday morning between 2 and 3 a.m.?

A. No.

Q. Did you go to the synagogue Friday night?

A. Yes.

Q. Do you pray?

A. Yes. (He added that apparently his prayers weren't being answered.)

Q. Did you see Oswald in the Dallas city jail Friday night?

A. Yes.

Q. Were you at one time employed by a union?

A. Yes.

Q. Did you have a gun on you when you went to the Friday night press conference? (Oswald was taken to the press conference.)

have told the Warren Commission the entire truth?

A. Yes.

Q. Have you ever knowingly attended a meeting of the Communist Party?

A. No.

Q. Have you ever knowingly attended a meeting of any group who advocates the violent overthrow of the United States Government?

A. No.

Q. To your knowledge is any member of your family a member of the Communist Party or a member of any organization that advocates the overthrow of the United States Government?

A. No.

Q. Are any friends of yours a member of the Communist Party or a member of any organization that advocates the violent overthrow of the United States Government?

A. No.

Q. To your knowledge have any of your close friends or immediate family ever attended a meeting of the Communist Party?

A. No.

Q. Do you know, to the best of your knowledge, whether any member of your immediate family ever attended a meeting advocating the violent overthrow of the United States Government?

A. No.

Q. Did you ever meet Oswald at the Post Office box? (Their boxes were only a few feet apart.)

A. No.

Q. Did you use your Post Office box to do business with Cuba or Mexico?

A. No.

Q. Did you ever meet officer (J.D.) Tippit and Oswald at the Carousel? (Tippit was slain Nov. 22 and Oswald was charged with his murder. The Carousel was the strip tease club Ruby operated.)

A. No.

Q. Did you ever do business with Castro's Cuba?

A. No.

Q. Was your trip to Cuba for pleasure only?

A. Yes.

Q. Did you keep \$200 in cash on you because you couldn't go to the bank to make a deposit?

A. Yes.

Q. Did any foreign country influence you or cause you to shoot Oswald?

A. No.

to save Mrs. Kennedy a trip
to Dallas to testify in a
trial?

A: Yes.

Q: Did you know Officer
Tippit?

A: No.

Q: Did you meet Officer
Tippit and Oswald at your
night club?

A: No.

Q: Did you get any long
distance calls about Oswald
before the shooting?

A: No.

Q: Were you at Parkland
Hospital on Friday at any
time? (Mr. Kennedy died
there.)

A: No.

Q: Are any members of
your family in danger?

(Ruby did not answer.)

Q: Are you a 100 per cent
patriotic American?

A: Yes.

Q: Has everything you
have testified to today been
the complete truth?

A: Yes.

No Union Influence

Q: Did you shoot Oswald
because of any labor union
influence?

A: No.

Q: Did any long distance
calls to you before the as-

sassination have any con-
nection with you shooting
Oswald?

A: No.

Q: Did you shoot Oswald

Tolson ☒
 Belmont ☒
 Mohr ☒
 Casper ☒
 Callahan ☒
 Conrad ☒
 DeLoach ☒
 Evans ☒
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 Rosen ☒
 Sullivan ☒
 Tavel ☒
 Trotter ☒
 Tele Room ☒
 Holmes ☒
 Gandy ☒

Oswald Slaying Unplanned, Ruby Says in Lie Test

DALLAS, July 22 (AP).—Jack Ruby told FBI polygraph operators that he had no intention of killing accused presidential assassin Lee Harvey Oswald until moments before he fired, the Dallas Times-Herald reported today in a copyright story.

The tests were made last Saturday in the Dallas County jail, where Ruby has been held since shortly after the slaying of the man accused of assassinating President Kennedy.

Ruby is under death sentence for killing Oswald November 24.

Ruby told the polygraph (lie detector) operators that he did not help Oswald kill the President, that he was not a member of any organization advocating overthrow of the Government.

He also said he killed Oswald to spare Mrs. Kennedy the ordeal of testifying at the Oswald murder trial.

The polygraph tests were given at Ruby's request. Also present was a member of the Warren Commission which is investigating the assassination.

The Washington Post and Times Herald _____
 The Washington Daily News _____
 The Evening Star _____
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 New York Daily News _____
 New York Post _____
 The New York Times _____
 The Worker _____
 The New Leader _____
 The Wall Street Journal _____
 The National Observer _____
 People's World _____
 Date _____

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191 AUG 5 1964

JUL 22 1964

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 Holmes ☒
 Gandy ☒

UPI-198

(RUBY)

DALLAS--A WOMAN SCHEDULED TO TESTIFY FOR THE WARREN COMMISSION FRIDAY ABOUT THE KENNEDY ASSASSINATION WAS THREATENED BY TELEPHONE AND TODAY THE FBI STEPPED INTO THE CASE.

THE UNIDENTIFIED WOMAN REPORTED SEEING A PROWLER AROUND HER HOME TODAY. THE FBI AND POLICE TRIED TO DETERMINE WHETHER THERE IS A CONNECTION BETWEEN THE PROWLER AND THE THREATS.

IN ANOTHER PHASE OF THE CASE, JACK RUBY, WHO KILLED KENNEDY'S ACCUSED ASSASSIN, WAS REPORTED ON THE VERGE OF LOSING HIS FIFTH CHIEF DEFENSE LAWYER.

RUBY'S BROTHER EARL OF DETROIT WAS REPORTED TO HAVE DISMISSED CLAYTON FOWLER, THE LATEST LAWYER TO DIRECT THE DEFENSE, AND J.M. TONAHILL, WHO HAS BEEN IN ON THE DEFENSE ALMOST FROM THE START.

TONAHILL SAID HE WILL NOT BE DISMISSED. HE SAID HE WILL GO ALL THE WAY TO THE U.S. SUPREME COURT WITH THE CASE, EVEN IF HE HAS TO DO SO AS AN UNPAID "FRIEND OF THE COURT."

THE THREATENED WOMAN TOLD POLICE SHE HAD RECEIVED "SEVERAL" TELEPHONE CALLS WARNING HER NOT TO TESTIFY.

"KEEP YOUR MOUTH SHUT IF YOU KNOW WHAT'S GOOD FOR YOU," SHE SAID SHE WAS TOLD IN ONE CALL.

THE FBI QUESTIONED HER TODAY AND SHE REFUSED TO TALK ABOUT THE THREATS. SHE SAID SHE WILL "MOST CERTAINLY" TESTIFY BEFORE COMMISSION INVESTIGATORS.

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 191 AUG 5 1964

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WASHINGTON CAPITAL NEWS SERVICE

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UPI-204

ADD RUBY, DALLAS (UPI-198)

THE JACK RUBY FAMILY TODAY FIRED THEIR BROTHER'S FIFTH CHIEF DEFENSE LAWYER AND SAID AN ATTORNEY FROM DETROIT WOULD ANNOUNCE LATER "JUST WHO IS AND WHO IS NOT" GOING TO TRY TO SAVE THE CONDEMNED SLAYER FROM THE ELECTRIC CHAIR.

ALSO DISMISSED WAS J. H. TONAHILL OF JASPER, TEX., AN ASSISTANT WHO HAD BEEN ON THE CASE SINCE FLAMBOYANT MELVIN BELLI WAS HIRED TO REPLACE TOM HOWARD, THE FIRST LAWYER ON THE CASE.

RUBY'S FAMILY SAID CHIEF DEFENSE ATTORNEY CLAYTON FOWLER AND TONAHILL WERE DISMISSED FOR "INEFFICIENCY AND SQUABBLING OVER DETAILS."

FOWLER HAD TAKEN OVER DIRECTION OF THE CASE AFTER DR. HUBERT WINSTON SMITH OF THE UNIVERSITY OF TEXAS LAW-SCIENCE INSTITUTE RESIGNED. SMITH HAD REPLACED FAMED CRIMINAL LAWYER PERCY FOREMAN OF HOUSTON, WHO QUIT BECAUSE OF WHAT HE CALLED FAMILY INTERFERENCE.

FOREMAN HAD REPLACED BELLI, WHO WAS FIRED.

SOL DANN OF DETROIT, AN OLD FRIEND OF THE RUBY FAMILY, ARRIVED IN DALLAS TONIGHT. A SISTER, MRS. EVA GRANT, SAID DANN WAS TO ANNOUNCE "JUST WHO IS AND WHO IS NOT GOING TO" REPRESENT RUBY.

RUBY'S BROTHER SAM SAID THE FAMILY HAD "RELIEVED" FOWLER, AND TONAHILL BECAUSE DANN "DOES NOT THINK THINGS HAVE BEEN MOVING FAST ENOUGH."

MRS. GRANT ACCUSED TONAHILL OF FORGETTING THAT FOWLER WAS HEADING THE DEFENSE.

"WE HAVE EVIDENCE THERE WAS SQUABBLING AND A CERTAIN AMOUNT OF INEFFICIENCY" SINCE THE FAMILY FIRED BELLI SHORTLY AFTER RUBY WAS SENTENCED TO DEATH ON MARCH 14.

"WE THINK THEY HAVE NOT BEEN PUTTING JACK'S WELFARE FIRST," MRS. GRANT SAID.

7/22--PA932PED

WASHINGTON CAPITAL NEWS SERVICE

(Mount Clipping in Space Below)

Mr. Tolson _____
 Mr. Belmont _____
 Mr. Mohr _____
 Mr. Casper _____
 Mr. Callahan _____
 Mr. Conrad _____
 Mr. DeLoach _____
 Mr. Evans _____
 Mr. Gale _____
 Mr. Rosen _____
 Mr. Sullivan _____
 Mr. Tavel _____
 Mr. Trotter _____
 Mr. Tele. Room _____
 Mr. Holloman _____
 Miss Gandy _____

4 Texans May Quit Jack Ruby Defense

By JIM FEATHERSTON
and JERRY RICHMOND
Staff Writers

Four Texas lawyers may withdraw from the Jack Ruby defense team and a Detroit attorney may take over, The Times Herald learned Wednesday.

A reliable source said Dallas attorney Clayton Fowler, Jack Ruby's chief defense counsel, has been notified from Detroit that he has been dismissed.

Ruby shortly before noon Wednesday expressed his desire to have Mr. Fowler continue as his attorney in a hand-written letter given the Dallas lawyer after

a visit to Ruby in jail, the attorney reported.

He did say, however, that attorney Sol Dann of Detroit is scheduled to arrive in Dallas Wednesday night along with Earl Ruby, brother of the defendant.

Mr. Fowler said Mr. Dann may take over as chief defense attorney for the condemned slayer of Lee Harvey Oswald.

If this happens, Mr. Fowler said, there is a possibility that all four Texas attorneys representing Ruby may withdraw.

Besides Mr. Fowler, Jack Ruby is represented by Dallas attorneys Phil Burleson and Emmett Colvin and Jasper attorney Joe Tonahill.

Mr. Fowler indicated that the defense lineup for Jack Ruby may be decided after the arrival of Mr. Dann.

The Jack Ruby legal staff has been ever changing since Nov. 24 when Ruby gunned down Oswald in the basement of the City Hall.

Ruby is now under death sentence for the slaying.

Tom Howard was Ruby's first chief counsel. He was replaced by San Francisco lawyer Melvin Belli. Percy Foreman of Houston and Hubert W. Smith of Austin also served briefly as heads of the defense team prior to Mr. Fowler's taking over several weeks ago.

Other attorneys who at one time or another have represented Ruby include Jim Martin of Dallas, Sam Brodie of San Francisco and Charles Bellows of Chicago.

A dispute flared last weekend among the attorneys when a lie detector test was administered Ruby by a Federal Bureau of Investigation agent under direction of the Warren Commission.

Attorneys Fowler and Dann engaged in a heated argument by telephone while the test was being conducted. After the test was completed, Mr. Fowler confirmed an open break in the team.

He told newsmen that Mr. Dann had called and fired him, but that as chief counsel Mr. Fowler had fired Mr. Dann right back.

Mr. Fowler said Mr. Dann apparently is trying to oust him under instructions from Earl Ruby. The Dallas attorney said he is undecided whether Jack Ruby's Detroit lawyer has authority to decide the lawyers in the case.

Mr. Fowler said he understood that Ruby's sister, Mrs. Eva Grant of Dallas, has power of attorney for the condemned slayer. Mrs. Grant Wednesday said she is opposed to Mr. Fowler being replaced.

"It's whether we're going to practice Texas law or Detroit law," Mr. Fowler said.

(Indicate page, name of newspaper, city and state.)

L "The Dallas
Times-Herald"
Dallas, Texas

Date: 7-22-64
 Edition:
 Author:
 Editor: Felix R. McKnight
 Title:

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 191 AUG 5 1964

Classification:
 Submitting Office: Dallas
☐ Being Investigated

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CONDITIONS CITED

Questions Raised
On Tests of Ruby

By HARRY MCCORMICK

Lie detector tests given Jack Ruby over the weekend are likely to be of little value if procedures of leading national authorities are reliable.

The tests were given Ruby by the Federal Bureau of Investigation on behalf of the Warren Commission investigating the assassination of President John Kennedy.

Two factors may negate the tests or make them inconclusive—Ruby's psychosis, if any, and the presence of five persons in the room as the polygraph tests were made.

Ruby, who is in jail while his death penalty verdict for the murder of Lee Harvey Oswald is on appeal, has been declared psychotic by several authorities. He has not, however, been officially declared insane.

Judith W. Wingert, director of Clinical Psychology for C. H. Stoelting detectors, says "Because of their non-contact with reality, the psychotic is difficult to deal with in usual interrogation situations. Easily distracted, irritable, and unable to co-operate in the questioning, attempts to get factual answers from such persons is useless."

The Provost Marshal's General School of Polygraph Examiners of the U.S. Army says "Psychotics cannot be run on the lie detector successfully," adding that psychotic tendencies will be revealed in polygraph tracings.

Dr. Lamoyne Snyder, national authority on the lie detector and one-time member of the Court of Last Resort, said the presence of others—than the polygraph operator at the time of the test of

Ruby was "not an ideal situation." Those present while Ruby's tests were given were Attorney Aron Specter for the Warren Commission, an FBI agent, a shorthand reporter, the operator, and Ruby's guard, Chief Jailer E. L. Holmes. Presence of others is a disturbing influence and is in variance with customary procedure." Dr. Snyder told The Dallas News. "The subject must have nothing on his mind but the questions and the answers. It isn't fatal but it just isn't good if accurate results are to be had."

Fred E. Inbau and John E. Reid, international authorities and joint authors of "Lie Detection and Criminal Interrogation" says "The principal psychological factor contributing to a successful interrogation is privacy." They add violation of this rule "interferes with a satisfactory diagnosis."

Richard O. Arther and Rudolph Caputo, authors of "Interrogations for Investigators" say "The interrogation room must be private. In this use of the word, private means only the suspect and the interrogator are to be in that room. If the interrogator has a partner he should be outside of the room."

Another polygraph operator's text book, "Instrumental Detection of Deception—The Lie Detector," says "In important cases no one but the examiner and his assistant, if any, should be in the laboratory" when the tests are given.

Arther and Reid, in their book add that "When properly administered by a competent examiner tests are very accurate."

Mr. Tolson
Mr. Belmont
Mr. Mohr
Mr. Casper

Mr. DeLoach
Mr. Wick
Mr. Casper
Mr. Callahan
Mr. Conrad
Mr. Felt
Mr. Gale
Mr. Rosen
Mr. Sullivan
Mr. Tavel
Mr. Trotter
Tele. Room
Miss Holmes
Miss Gandy

(Indicate page, name of newspaper, city and state.)

9 "The Dallas
Morning News"
Dallas, Texas

Date: 7-21-64
Edition:
Author:
Editor: Jack B. Krueger
Title:

Character:
or
Classification:
Submitting Office: Dallas
☐ Being Investigated

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UPI-36D

(RUBY)

DALLAS--WARREN COMMISSION INVESTIGATORS TODAY BEGAN ANALYZING A LENGTHY LIE DETECTOR TEST GIVEN JACK RUBY, WHO IS FACING THE ELECTRIC CHAIR FOR THE MURDER OF PRESUMED PRESIDENTIAL ASSASSIN LEE HARVEY OSWALD. ☒

THE 10-HOUR LIE DETECTOR SESSION WAS HELD IN RUBY'S JAIL CELL SATURDAY NIGHT, AT HIS REQUEST.

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(Mount Clipping in Space Below)

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Mr. Holmes	_____
Miss Gandy	_____

(Indicate page, name of newspaper, city and state.)

13 "The Dallas
Times-Herald"
Dallas, Texas

FEAR RUBY AT BRINK OF DEPRESSED MOOD

Jack Ruby's doctors fear that Ruby has wanted to take a lie detector test for months in the belief that it would prove he had no connection with Lee Harvey Oswald, that he was not a Communist and not a member of the underworld.

The source said Ruby was "in the best physical and mental form he has been in since his arrest during the arduous polygraph test conducted Saturday by the Warren Commission."

"He answered questions with a clearness of mind and purpose fully throughout the lengthy examination by an FBI man operating the polygraph instrument," the source said.

But defense psychiatrist Dr. William R. Beavers was quoted as predicting a serious depression would follow by Wednesday.

Doctors have explained that

Defense attorneys Monday confirmed they were unanimous in objecting to the tests and that the argument between attorney Clayton Fowler of Dallas and attorney Sol A. Dann of Detroit was the result of a misunderstanding between the two in the belief that each wanted the Warren Commission to conduct the test.

Mr. Fowler said the defense had strongly objected to the test because of Ruby's mental condition and a report from psychiatrist Emanuel Tanay which warned "a polygraph examination could pro-

duce serious effect on Ruby's health." Another defense source said the Warren Commission refused to accept three "conditions" for the tests set forth by Ruby's family and attorneys.

Those rejected conditions were: The test would be given in the presence of Dr. Tanay and a defense lawyer and that no outsiders or members of the district attor-

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Submitting Office: Dallas
☐ Being Investigated

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ney's office or the sheriff's staff would be present.

That written authority to conduct the test had to be given by Ruby's brother, Earl Ruby of Detroit.

That the commission would as-

sure the defense that the results would be held in confidence and that under no circumstances would be released to the district attorney's office or the press.

But the Warren Commission insisted that only Ruby's permission would be required and that if the condemned slayer wanted to take the test it would be given.

Results of the tests, administered Saturday afternoon and night, remained a closely-guarded secret Monday but the general line of questioning was almost obvious.

In Washington, Warren Commission sources declined to comment on results of the tests.

"I was not in favor of polygraph tests, and I made this plain," Mr. Fowler said. "As you know he (Ruby) made this arrangement with the Warren Commission before I came into the case."

During the nearly 10 hours of testing, questioning and legal wrangling observers said Ruby remained calm and responded to questioning.

Assistant Warren Commission counsel Arlen Specter was in charge of the lengthy examination. Others present included the FBI agent who conducted the test, another agent, a court reporter, attorneys Fowler and Joe L. Tonahill, psychiatrist William R. Beavers, Asst. Dist. Atty. William Alexander and a jailer.

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UPI-42

(RUBY)

DALLAS--CONDEMNED KILLER JACK RUBY FINALLY GOT THE LIE DETECTOR TEST HE WANTED, BUT IT TRIGGERED AN ARGUMENT BETWEEN HIS LEGAL ADVISER AND CHIEF DEFENSE COUNSEL.

THE FBI ADMINISTERED THE POLYGRAPH TEST TO RUBY IN HIS SIXTH FLOOR DALLAS COUNTY JAIL CELL SATURDAY NIGHT. ARLIN SPECTER, A REPRESENTATIVE OF THE WARREN COMMISSION, SAID THE 10-HOUR TEST WAS ADMINISTERED AT RUBY'S REQUEST.

SOL DAN, A LEGAL ADVISER TO RUBY, AND CHIEF DEFENSE ATTORNEY CLAYTON FOWLER OF DALLAS ARGUED OVER WHETHER RUBY SHOULD TAKE THE TEST. DAN SAID RUBY SHOULD NOT AND FOWLER AGREED THAT HE WAS AGAINST TEST BUT SAID RUBY INSISTED ON TAKING IT. DAN AND FOWLER TRIED TO FIRE EACH OTHER.

SPECTER SAID RESULTS OF THE TEST WOULD NOT BE REVEALED IMMEDIATELY, BUT WOULD BE INCLUDED IN THE COMMISSION REPORT ON THE ASSASSINATION OF PRESIDENT KENNEDY, EXPECTED WITHIN A FEW WEEKS.

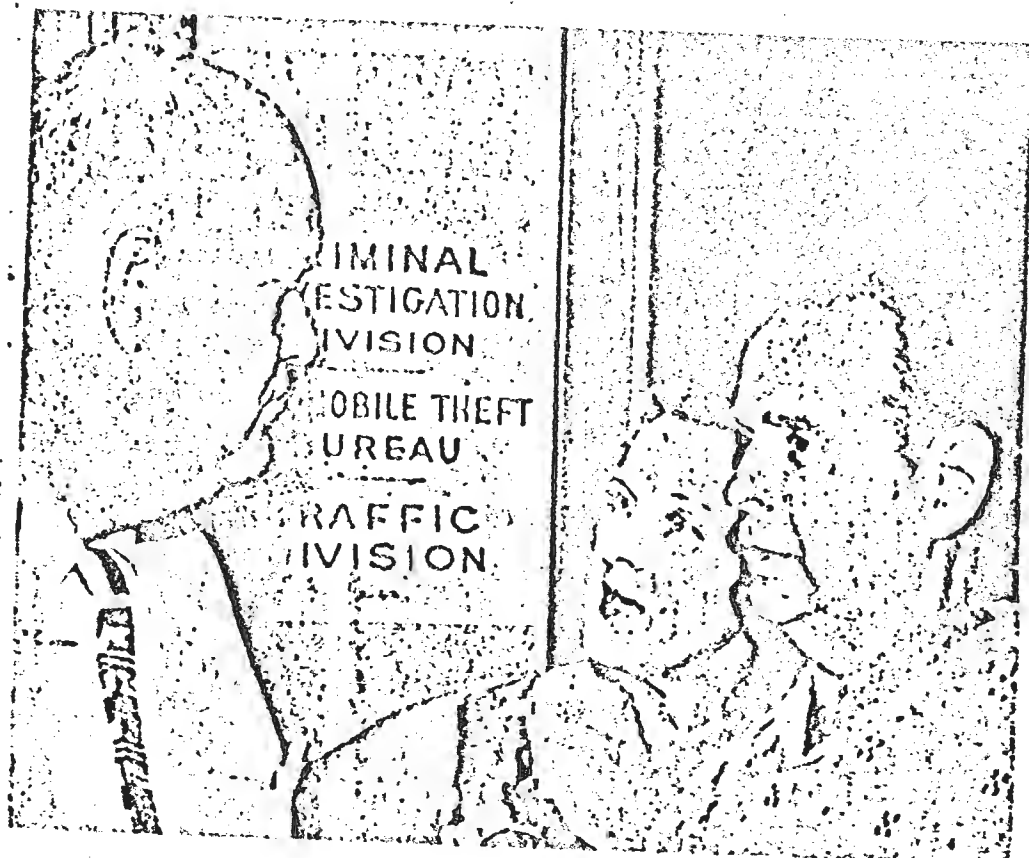
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WASHINGTON CAPITAL NEWS SERVICE

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 Mr. Casper ✓
 Mr. Callahan ✓
 Mr. Conrad ✓
 Mr. DeLoach ✓
 Mr. Evans ✓
 Mr. Gale ✓
 Mr. Rosen ✓
 Mr. Sullivan ✓
 Mr. Tavel ✓
 Mr. Trotter ✓
 Tele. Room ✓
 Miss Holmes ✓
 Miss Gandy ✓



DEBATING LIE DETECTOR?

Clayton Fowler, chief counsel for convicted slayer Jack Ruby, left, discusses developments in the case Saturday with Ruby's sister, Mrs. Eva Grant, and brother, Sam Ruby. The conversation took place outside Sheriff Bill Decker's office between visits by Mr. Fowler, Ruby's psychiatrist and investigators of the Warren Commission. Ruby was given extensive tests Saturday afternoon and night. Staff photo by Darryl Heikes.

Taken from
 Dallas Times-Herald
 Sunday, 7/19/64

44-24036-1
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 15 JUL 22 1964

70 JUL 31 1964

RUBY TESTED ON POLYGRAPH

Lie Detector Exam Given by FBI At Warren Commission's Behest

By JERRY RICHMOND
Staff Writer

Condemned slayer Jack Ruby underwent extensive lie detector tests Saturday despite strenuous objections by his local defense counsel.

The tests, including long periods of rest and considerable legal argument, lasted more than 10 hours and were conducted for the Warren Commission by the Federal Bureau of Investigation.

Arlen Spector of Philadelphia, Pa., an assistant counsel for the Warren Commission, was in charge of the polygraph examinations. After the exhaustive testing in the Dallas County jail, Mr. Spector would comment only that the tests had been made at the "specific request of Jack Ruby."

Chief defense counsel Clayton Fowler of Dallas said he objected to the testing but "as you know, he (Ruby) made this arrangement before I entered the case."

In addition to the FBI agent who conducted the test, others present included Mr. Fowler, defense attorney Joe H. Tonahill of Jasper, Asst. Dist. Atty. William F. Alexander, Mr. Spector and a chief jailer on Sheriff Bill Decker's staff.

Mr. Spector, who flew into Dallas Saturday, said preparations for the test began at noon Saturday. The parties involved in the testing came out of the county jail at 10:15 p.m.

"The results will not be disclosed until the Warren Commission has had a full report and

time to analyze the significance," Mr. Spector said.

He said the entire proceeding took place in a spirit of cooperation, but that "It is not possible to discuss the nature of the examination or the questions asked of Mr. Ruby."

Jack Ruby's psychiatrist, Dr. William R. Beavers, was also called into the conference, apparently as a safety measure. Dr. Beavers was hired by Ruby's family to treat the 34-year-old former night club operator for a mental condition.

When asked if the session was a valuable one, Mr. Spector said that he could not answer that without going into the Warren Commission's business.

He said the results would be compiled at the earliest practical date, submitted to the Warren Commission and would be made known at the earliest practical time.

DISAGREEMENTS

Attorneys and others present during the testing declined to answer questions dealing with how Ruby reacted and whether he suffered any physical strain during the apparently long session.

It was also determined that the session was broken by a number of disagreements including those between members of the family and the defense team. Chief defense counsel Fowler made no secret of his displeasure with the testing and described it as "a surprise to me."

Mr. Alexander, representing the

See RUBY on Page 23

★ RUBY

Continued From Page 3

prosecution, would comment only that the test results "in all probability will not be used by the state."

Mr. Tonahill, who has been a member of the defense team since shortly after Ruby shot Lee Harvey Oswald, said he was in favor of the test because "Jack Ruby wanted it more than he wants to go to Heaven."

Mr. Tonahill explained that he thought testing was important to Ruby and may have some therapeutic value. "Therefore, I was in favor of it even though the psychiatrists were not," he said.

NOT IN FAVOR

But Mr. Fowler quickly explained he was opposed to the polygraph test.

"I was not in favor of polygraph tests," Mr. Fowler said. "I made this very plain but as you know he (Ruby) made this arrangement before I entered the case."

The newly named chief defense counsel admitted there was friction among defense lawyers concerning the polygraph and said, "I do not feel that anything that went on here today will hurt Ruby, but at this time such a test places him in the position of conducting his own affairs."

MENTALLY ILL

The Dallas lawyer said he felt Ruby was mentally ill and in no position to decide whether he should undergo such tests.

Mr. Tonahill agreed with Mr. Fowler that the defendant should not have taken the test from a legal point of view.

The two defense lawyers present explained that there had been disagreement with Detroit attorney Sol A. Dann, who was retained by Ruby's brother, Earl Ruby of Detroit, as an advisor.

"Mr. Dann, as a matter of fact, called here during the test to fire me and Mr. Tonahill and, as chief counsel, I fired him back," Mr. Fowler said. "We, Mr. Tonahill and I, will represent Mr. Ruby as long as the members of his immediate family want us to."

The unannounced testing of Ruby was kept a well-guarded secret until newsmen Saturday noticed the unusual activity around the county courthouse involving persons connected with the Jack Ruby case.

Sheriff Bill Decker, apparently under instructions to make no comment about the surprise visit, would say only that Ruby had visitors.

FAMILY WAITS

Ruby's family, including a sister, Mrs. Eva Grant, and a brother, Sam Ruby, both of Dallas, remained in the waiting room to the jail for nearly 10 hours, apparently in the dark about what was going on upstairs. However, a source close to the family said they had been contacted two weeks ago by the Warren Commission to make arrangements for conducting the polygraph test.

Ruby reportedly told Chief Justice Earl Warren that he wanted to take lie detector tests when the head of the President's commission to investigate the assassination of President Kennedy visited him in the county jail on June 7 for an interview which lasted several hours.

Mr. Spector repeatedly declined to discuss the nature of the questions posed to Ruby while on the polygraph. He also declined to comment on Ruby's response to questioning.

When asked the material value of such testing in light of Ruby's condition, he replied "the quality of his answers goes into the content of the questions."

Mr. Tolson	✓
Mr. Belmont	✓
Mr. Mohr	✓
Mr. Casper	✓
Mr. Callahan	✓
Mr. Conrad	✓
Mr. DeLoach	✓
Mr. Evans	✓
Mr. Gale	✓
Mr. Rosen	✓
Mr. Sullivan	✓
Mr. Tavel	✓
Mr. Trotter	✓
Tele. Room	✓
Miss Holmes	✓
Miss Gandy	✓

REQUESTED BY SLAYER

Ruby Takes Lie Test

By CARL HARRIS

Convicted slayer Jack Ruby was given a lie detector examination Saturday at the direction of a Warren Commission representative over the objections of his attorneys.

The test, which took place in Ruby's county jail cell, resulted after repeated requests for it by Ruby.

Present during the sessions were Arles Specter of Philadelphia, Pa., an assistant counsel of the commission; two Ruby attorneys, Clayton Fowler and Joe Tonahill; Dr. William Beavers of Southwestern Medical School, court-appointed psychiatrist; Assistant Dist. Atty. Bill Alexander and a court reporter, a polygraph examiner and a representative of Sheriff Bill Decker.

Specter, flanked by Fowler, Tonahill and Alexander, emerged from the jail at 10:10 p.m. They had been there since noon.

Specter would not discuss the nature of questions asked in the examination nor would he describe Ruby's frame of mind during the questioning.

THE RESULTS, HE said, will be "compiled at the earliest possible date and forwarded to the Warren Commission. It is impossible at this time to predict what use will be made of the information."

press conference, said he was "very much in favor of the test."

However, Ruby's psychiatrists were not, he added.

Fowler, chief defense counsel, said he did not approve of the examination, "and I so advised Mr. Ruby and the commission."

He added that "nothing went on here today that will be detrimental to Jack Ruby."

When the questioning again turned to the attorneys' approval, Tonahill said both men (he and Fowler) were "against it."

"We've contended," he elaborated, "he (Ruby) is of unsound mind and incapable of properly conducting his own affairs. But Jack wanted that test worse than he wants to go to heaven."

IT WAS BECAUSE of this feeling that the lawyers finally consented to the test, which was administered by FBI agents, Tonahill concluded.

Alexander told reporters that Saturday's activity will not affect the state's case against Ruby, under a death sentence for the murder of accused presidential assassin Lee Harvey Oswald.

Other points discussed by the attorneys were:

Ruby was given a "number of breaks" or rest periods during the long examination, including one which lasted an hour and 40 minutes.

Specter said he and the lawyers remained in the jail an hour after leaving Ruby's cell, but he would not disclose what occurred during that time.

ter, Sam Ruby and Mrs. Eva Grant, both of Dallas, arrived at the courthouse about 1:30 p.m. Mrs. Grant left about 8:30 p.m. while the brother stayed until the lawyers emerged from

the jail for the news conference.

Specter reiterated that the Commission "did not solicit the examination," but that it was performed at Ruby's request.

Fowler also hinted at friction between himself and another Ruby lawyer, Sol Dann of Detroit, Mich. He said that Dann had attempted to release Fowler from the case but added, "I intend to be here as long as Jack Ruby wants me to be."

Taken from
Dallas Morning
News
Sunday, 7/19/64

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UPI-64

(RUBY)

DALLAS.--AN APPLICATION WAS FILED IN PROBATE COURT YESTERDAY TO HAVE A LEGAL GUARDIAN APPOINTED FOR CONDEMNED KILLER JACK RUBY. THE APPLICATION, FILED BY CHIEF DEFENSE LAWYER CLAYTON FOWLER ON BEHALF OF RUBY'S BROTHER, SAM RUBY, CLAIMED THE CONVICTED KILLER OF ACCUSED ASSASSIN LEE HARVEY OSWALD WAS "OF UNSOUND MIND AND WHOLLY INCOMPETENT."

DALLAS COUNTY PROBATE JUDGE W. F. BARTLETT JR. CALLED A HEARING AUG. 6 TO DETERMINE IF RUBY DOES NEED A GUARDIAN. HE SAID HIS COURT WOULD HAVE TO RULE RUBY MENTALLY INCOMPETENT--NOT MERELY PHYSICALLY DISABLED--BEFORE SUCH ACTION COULD BE TAKEN.

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WASHINGTON CAPITAL NEWS SERVICE

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UPI-197

(RUBY)

DALLAS--THE DALLAS TIMES HERALD TODAY QUOTED AN INFORMED SOURCE AS SAYING JACK RUBY TALKED WITH HIS SISTER ABOUT KILLING LEE HARVEY OSWALD MANY HOURS BEFORE HE SHOT THE ACCUSED PRESIDENTIAL ASSASSIN.

THE NEWSPAPER SAID THE SISTER, MRS. EVA L. GRANT OF DALLAS, DENIED SUCH A CONVERSATION EVER TOOK PLACE.

THE SOURCE, WHO DECLINED TO BE IDENTIFIED, SAID RUBY TALKED ABOUT SHOOTING OSWALD EITHER FRIDAY NIGHT OR SATURDAY BEFORE THE SLAYING TOOK PLACE SUNDAY, NOV. 24, THE PAPER SAID. RUBY WAS CONVICTED OF MURDER MARCH 14 AND SENTENCED TO DEATH. THE 54-YEAR-OLD SLAYER IS IN DALLAS COUNTY JAIL WHILE ATTORNEYS PREPARE APPEALS.

"JACK MENTIONED SHOOTING OSWALD TO MRS. GRANT AND SHE TRIED TO TALK HIM OUT OF IT. THEY HAD A BIG ARGUMENT ABOUT IT," THE STORY QUOTED THE SOURCE.

MRS. GRANT TOLD THE NEWSPAPER "JACK NEVER SAID A THING LIKE THAT."

MRS. GRANT SAID RUBY DISCUSSED ATTENDING THE FUNERAL OF J. D. TIPPIT, THE DALLAS POLICEMAN SLAIN BY THE PRESIDENTIAL ASSASSIN.

"HE ASKED ME IF I THOUGHT IT WOULD BE ALL RIGHT FOR HIM TO GO TO OFFICER TIPPIT'S FUNERAL," MRS. GRANT SAID.

TIPPIT WAS BURIED NOV. 25, THE DAY AFTER RUBY SHOT OSWALD AND WAS JAILED.

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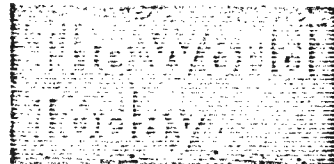
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Justice

Mail Neighbors

JACK RUBY and Lee Harvey Oswald rented post office boxes 12 feet apart less than a month before President Kennedy was assassinated, the Dallas Times Herald reports. Both received mail between the time of renting and the shooting. The Warren Commission presumably knows this, the story said.

Raymond Martin, 26, was sentenced in New York to five years in prison for breaking both arms and legs of a 13-month-old baby that kept him awake. The judge said he wished he could have given him more time.

The man who killed a New York barmaid while a crowd of passersby ignored her cries for help has been sentenced to death. Winston Moseley was convicted of the knife slaying of the barmaid and during the trial confessed the killing of another woman and girl.

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UPI-34

(RUBY)

DALLAS--THE JACK RUBY CASE APPARENTLY FACES A LONG SIEGE IN THE COURTS.

WHILE HIS LAWYERS AND DOCTORS ARGUE OVER RUBY'S MENTAL CONDITION, THE LONG APPEALS PROCESS CONTINUES. ASST. DIST. ATTY. A. D. BOWIE SAID YESTERDAY THE TEXAS COURT OF CRIMINAL APPEALS WILL NOT HEAR ARGUMENTS ON RUBY'S BEHALF UNTIL AT LEAST NEXT YEAR TO GIVE CLERKS AND COURT REPORTERS TIME TO PREPARE THE TRIAL RECORD WHICH MAY RUN OVER 5,000 PAGES.

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WASHINGTON CAPITAL NEWS SERVICE

THE NATION

Ruby's 'Motive': Spare Mrs. Kennedy

Former nightclub owner Jack Ruby has testified that he shot Lee Harvey Oswald out of an irrepressible desire to spare Mrs. John F. Kennedy "any further anguish." The story of Ruby's incredible testimony was carried yesterday by the Dallas News in a copyrighted story. The news said its Ruby quotes were possibly not verbatim but were "substantially correct." Ruby, the News said, gave a detailed account of his motivations to Chief Justice Earl Warren during a 3½-hour interview June 7, conducted in the Dallas jail.

The balding Ruby told Justice Warren he wanted to save Mrs. Kennedy the grief of having to return to Dallas, where her husband was assassinated Nov. 22, for Oswald's trial. He said he contemplated the shooting as he drove from his apartment to City Hall on Nov. 24. He said he "just walked in" to the police station where he shot Oswald in full view of a nationwide television audience. "I decided to sacrifice myself," he told the Chief Justice, head of a commission now concluding an exhaustive probe into the murder of the late President. Ruby further insisted that he acted of his own volition. "I do not belong to any subversive organizations . . . and no Communists told me to shoot him . . ." Ruby told Justice Warren.

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New York Daily News _____
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The New Leader _____
The Wall Street Journal _____
The National Observer _____
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UPI-195

(RUBY)

DALLAS--PLANS TO TRANSFER JACK RUBY FROM JAIL TO A MENTAL HOSPITAL WERE UP IN THE AIR TODAY, PENDING COURT ACTION AND THE AVAILABILITY OF A HOSPITAL THAT WOULD ACCEPT THE CONDEMNED SLAYER.

JUDGE JOE-B. BROWN SAID THAT RUBY'S DEFENSE LAWYERS HAVE NOT YET INDICATED TO HIM THAT THEY WANT RUBY HOSPITALIZED FOR TREATMENT OF A "RAPIDLY DETERIORATING" MENTAL CONDITION.

BROWN SAID THE LAST DEALING HE HAD WITH DEFENSE LAWYERS WAS LAST WEEK WHEN, AT THEIR REQUEST, HE CANCELLED A HEARING SCHEDULED TO DETERMINE WHETHER RUBY NEEDED A FORMAL SANITY TRIAL.

HE SAID THAT EVEN SHOULD THE DEFENSE MAKE A FORMAL MOTION TO HAVE RUBY HOSPITALIZED FOR TREATMENT, IT PROBABLY WOULD BE NEXT WEEK BEFORE HE COULD TAKE ACTION.

THE JUDGE PRESIDED AT THE TRIAL WHERE RUBY, 34, WAS CONVICTED AND SENTENCED TO DEATH FOR THE MURDER OF LEE HARVEY OSWALD, ACCUSED ASSASSIN OF PRESIDENT KENNEDY.

RUBY'S LAWYERS WERE COMPILING A PSYCHIATRIC REPORT TO BACK UP THEIR CLAIM THAT RUBY IS INSANE AND RAPIDLY GETTING WORSE. THEY CLAIM HE HAS GONE INSANE SINCE HIS CONVICTION AND DEATH SENTENCE MARCH 14.

6/22--EGE39PED

TOP CLIP

DATED

FROM

MARKED FILE AND INITIALED

6-22-64

Washington News

NOT RECORDED

46 JUL 1 1964

74 JUL 1 1964

WASHINGTON CAPITAL NEWS SERVICE

Tolson _____
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H/S

Mental Hospital for Ruby?

DALLAS, June 22 (UPI)—Lawyers for Jack Ruby, whose mind is reported deteriorating rapidly in his death cell, were to ask today that he be transferred to a mental hospital.

Attorney Clayton Fowler is expected to talk with Judge Joe B. Brown, who presided over Ruby's trial for the murder of Lee Harvey Oswald, presumed assassin of President Kennedy.

Mr. Fowler acted after a psychiatrist hired by the defense reported Ruby is in a "paranoid state" and may become hopelessly insane unless hospitalized for treatment.

77 JUL 11 1964
 NOT RECORDED
 46 JUL 1 1964

The Washington Post and Times Herald _____
 The Washington Daily News 12 _____
 The Evening Star _____
 New York Herald Tribune _____
 New York Journal-American _____
 New York Mirror _____
 New York Daily News _____
 New York Post _____
 The New York Times _____
 The Worker _____
 The New Leader _____
 The Wall Street Journal _____
 The National Observer _____
 People's World _____
 Date June 22, 1964

74 JUL 1 1964

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UPI-105

(RUBY)

DALLAS--CONDEMNED KILLER JACK RUBY'S LAWYERS COMPILED A PSYCHIATRIC RECORD TODAY TO SUPPORT THEIR REQUEST TO MOVE HIM OUT OF DALLAS COUNTY JAIL TO A HOSPITAL FOR MENTAL TREATMENT.

CLAYTON FOWLER, RUBY'S CHIEF COUNSEL, HAD INDICATED THAT HE MIGHT TRY TO SEE JUDGE JOE B. BROWN TODAY. BUT BROWN WAS OUT OF TOWN. FOWLER SAID HE WAS COMPILING PSYCHIATRIC REPORTS INTO A RECORD TO PRESENT TO BROWN AS SOON AS HE RETURNS.

6/22--GE151P

NOT RECORDED

46 JUN 26 1964

67 JUN 29 1964

WASHINGTON CAPITAL NEWS SERVICE

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 Holmes ☐
 Gandy ☐

Hospital Plea Set for Ruby

DALLAS, Tex., June 20 (AP). —Attorneys for Jack Ruby said yesterday they will seek immediate hospitalization for treatment of his mental condition, following an examination by an Oklahoma psychiatrist.

Clayton Fowler, Ruby's chief defense counsel, said the defense lawyers will urge the prosecution and the courts to agree to hospitalize the former night club operator while his appeal is carried out.

Dr. Louis Jolyon West flew to Dallas yesterday to examine Ruby in his jail cell.

Mr. Fowler said he understands from Dr. West and other psychiatrists that several local hospitals have facilities needed to treat a condition described as a "paranoid state."

The Washington Post and Times Herald _____
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 New York Journal-American _____
 New York Mirror _____
 New York Daily News _____
 New York Post _____
 The New York Times _____
 The Worker _____
 The New Leader _____
 The Wall Street Journal _____
 The National Observer _____
 People's World _____
 Date _____

14-24016-A
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 48 JUN 24 1964

68 JUN 24 1964

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Warren Commission Probe Ending

The special commission appointed by President Johnson to probe the assassination of President Kennedy has neared the end of its duties. Although its report has not been completed, all signs suggest that Lee Harvey Oswald will be officially identified as the assassin. And the conclusion is expected to be that Oswald acted alone, prompted by motives which originated in his twisted mind.

Oswald, in turn, was slain by night club operator Jack Ruby. Although various segments of the foreign press have explored the possibility that Ruby was part of some mysterious plot to silence Oswald, the commission — now, designated by the name of its chairman, Chief Justice Earl Warren — probably will find otherwise. Ruby, reportedly mentally ill, also is thought to have acted alone and without previous connection with Oswald.

In short, no one anticipates that the Warren Commission will offer any startling conclusions. There is little mystery clinging to the assassination story and most of what is there surrounds Oswald's life in Russia. Perhaps even these dark corners will be lighted by the commission's final report.

The tragedy, widely witnessed and well documented, now has become a matter of history. The Warren Commission cannot change this in any respect. But it should be able to answer that haunting question: Could the assassination have been prevented?

Yesterday, Secret Service Chief James James J. Rowley appeared before the commission to give his agency's side of the story. The Secret Service, charged with the protection of the President, has been the target of some especially sharp criticism. Rumor has it that several Secret Service agents were drinking late at a night club prior to the day President Kennedy was shot. And charges have been made that a

lack of communication between the Secret Service and the FBI opened a loophole in security measures for the President's Dallas visit.

It is in this area that the Warren Commission may perform its most valuable service. Information collected during its investigations may lead to better coordination between police agencies and higher standards of protection for the nation's future chief executives. The commission might also produce recommendations for handling known security risks and individuals clearly on record as out of sympathy with the American form of government. As far as the public is concerned, there is a wide gap of missing data on the State Department's handling of the Oswald case and paving the way for his return to the United States after he became "disenchanted" with life in the Soviet Union.

A further by-product of this study may provide assistance to students of mental health problems. We are confronted with an increasing incidence of individuals who regard themselves as uniquely endowed and above the laws of society. These people cannot be simply shrugged off as "goofballs" and "crackpots." Some eventually become dangerous to themselves and to others.

One report, attributed to FBI psychiatrists, noted that Oswald hated his father for abandoning him. Thus, he hated anyone who represented authority. According to his wife, Marina, Oswald had previously taken a shot at former General Edwin A. Walker and had threatened to kill Richard M. Nixon.

With no one to check his erratic behavior, Oswald finally succeeded in finding an outlet for his antagonism. And we are left wondering how many other Lee Harvey Oswalds are waiting for a similar opportunity to gain what some commentators have branded "sudden immortality."

Perhaps the Warren Commission has an answer.

Mr. Tolson _____
Mr. Belmont _____
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Mr. Casper _____
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Tele. Room _____
Mr. Holloman _____
Miss Gandy _____

(Indicate page, name of newspaper, city and state.)

8A TAMPA TIMES
Tampa, Florida

Date: 6/19/64

Edition:

Author:

Editor: Bennett/DeLoach

Title: JACK L. RUBY, a.k.a.
LEE HARVEY OSWALD-VIC

Character: CIVIL RIGHTS

or

TP 44-187

Classification: E 44-24016

Submitting Office: Tampa

☐ Being Investigated

NOT RECORDED

16 JUN 30 1964

58 JUL 1 1964

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Mr. Tolson _____
Mr. Belmont _____
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Mr. DeLoach _____
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Miss Gandy _____

Ruby Hearing Postponed by Court

A sanity hearing for convicted slayer Jack Ruby, scheduled for Friday morning, was postponed indefinitely by Judge Joe B. Brown Tuesday at the request of defense attorneys. He said he is convinced that Ruby is insane, but that a sanity hearing should not be held at this time. "By asking for a postponement, we have not waived any of his rights for a sanity hearing," Fowler said. Defense attorneys have claimed that Ruby became insane following his conviction in Judge Brown's court March 14.

Clayton Fowler, the fifth chief defense counsel for Ruby, convicted of killing accused presidential assassin Lee Harvey Oswald, said he had sought the postponement "on medical advice."

"They (doctors) tell me he is doing all right—at least as well as can be expected, so I want

(Indicate page, name of newspaper, city and state.)

"The Dallas
Morning News"
Dallas, Texas.

Section I

Page 13

Date: 6-17-64
Edition:
Author:
Editor: Jack B. Krueger
Title:

Character:
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Classification:
Submitting Office: Dallas
☐ Being Investigated

172 JUN 26 1964

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Fowler to Withdraw Bid For Ruby Sanity Hearing

Jack Ruby's new chief defense attorney said Wednesday he plans to withdraw a request for a sanity hearing for the condemned slayer. Clayton Fowler said, however, that he wants assurances from

doctors before taking this step. "I want assurances from doctors that Jack's condition will not deteriorate if he receives treatment in the county jail instead of going to a hospital. If I get these assurances, I anticipate we will withdraw the request for a sanity hearing and ask Judge (Joe B.) Brown to cancel the June 19 hearing," said Fowler.

Judge Brown scheduled the June 19 hearing to listen to testimony and arguments about Ruby's mental condition. The judge said he would decide at the time whether to empanel a jury to pass on Ruby's sanity.

Defense attorneys Phil Burleson and Joe Tonahill requested the sanity hearing. Tonahill said Wednesday he still believes Ruby should have a sanity hearing, but added that he and Fowler can reconcile their disagreement at this point.

Fowler, who was hired Tuesday as Ruby's fifth chief defense attorney, said he thinks a sanity hearing now would be "premature."

Fowler said the defense should concentrate on asking the Court of Criminal Appeals to order a new trial for the former striptease club manager.

A jury sentenced Ruby to the electric chair for the Nov. 24 murder of Lee Harvey Oswald, who had been accused two days earlier of killing President John F. Kennedy and Patrolman J. D. Tippit here.

Fowler said he expects to confer with Ruby in the county jail Thursday. They have not met since relatives of the slayer hired Fowler to spearhead the legal fight to save him from the electric chair.

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13 "The Dallas
Morning News"
Dallas, Texas.

Date: 6-11-64
Edition:
Author:
Editor: Jack B. Krueger
Title:

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or
Classification:
Submitting Office: Dallas
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NOT RECORDED
46 JUN 25 1964

8 JUN 26 1964

File
C-114

Local Police Don't Want Club To Open

The Dallas Police Department is protesting the reopening of Jack Ruby's old striptease joint under a new management.

County Judge Lew Sterrett's office said a 38-year-old man describing himself as an entertainer has picked up papers for a beer license for the old Carousel Club at 1312 1/2 Commerce.

The entertainer said he wanted to reopen the nightclub under the name of "Merry-Go-Round."

The nightclub has been closed since Ruby was jailed after shooting Lee Harvey Oswald last Nov. 24.

Judge Sterrett later refused to issue a liquor license to a corporation of which Ruby was a member.

(Mount Clipping in Space Below)

Ruby Doctor Offers Services to Court

A psychiatrist hired by Jack Ruby's family to treat the condemned slayer in Dallas County Jail resigned Thursday as a private physician but agreed to continue treating Ruby as a court consultant without fee.

Dr. William R. Beavers, faculty member at Southwestern Medical School, wrote Ruby's attorneys and Dist. Judge Joe B. Brown that he would remain as Ruby's personal physician, consulting with County Health Officer J. M. Pickard on a prescribed course of treatment for the prisoner's mental condition.

The letter said that "because of the official recognition of Mr. Ruby's illness that took place in the June 1 meeting (in Judge Brown's chambers) I... believe I no longer need to function as his private consultant."

Dr. Beavers said he spent more than 11 hours with Ruby.

"I found Mr. Ruby mentally ill and in need of treatment but I was not in a position to treat him, since the responsibility for his care lay with the county jail and the county health officer," the letter said.

"I therefore made recommendations to Dr. Pickard for the best possible standards of care available and followed the patient at intervals as a family-retained consultant."

The letter said that the hearing in Judge Brown's chambers on June 1 resulted in an agreement that the three doctors would recommend the treatment needed by Ruby.

The letter also indicated that the three doctors, including himself, Dr. John T. Holbrook and Dr. Robert L. Stubblefield, would report on June 19 to decide whether Ruby was so ill as to require a formal hearing on his sanity. However, newly named chief defense counsel, Clayton Fowler, has indicated he will quash a motion for a sanity hearing filed by the family. Mr. Fowler has described such a hearing as "premature at this time" and has said he feels the defense should make an all-out effort to get a reversal in the March 14 death penalty verdict through appeal.

Mr. Tolson _____
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30 "The Dallas Times-Herald" Dallas, Texas

Date: 6-11-64
 Edition:
 Author:
 Editor: Felix R. McKnight
 Title:

Character:
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 Classification:
 Submitting Office: Dallas
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 46 JUN 25 1964

72 JUN 26 1964

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Ruby Family Hires Fowler

Jack Ruby got a new chief defense attorney -- his fifth -- Tuesday and a disagreement arose immediately over strategy.

Clayton Fowler, 43-year-old president of the Dallas Criminal Bar Association, announced that Ruby's family had hired him to lead the fight to save the slayer from the electric chair.

Fowler asked attorneys Phil Burleson of Dallas and Joe Tonahill of Jasper, who have represented Ruby, to remain on the case. They said they would do so.

Fowler said he believes a defense request for a sanity hearing is "premature" at this time. Instead of trying to get a jury to rule that Ruby has become insane since his murder trial, Fowler said, defense lawyers should concentrate on getting the Texas Court of Criminal Appeals to grant him a new trial.

Tonahill disagreed.

"I don't think Clayton realizes how bad Jack's mental condition is," Tonahill said. "When he gets information in our possession I think he will agree that we should have a sanity hearing so that Jack can go to a hospital and get the treatment he needs so badly."

Fowler said he was hired by Earl Ruby of Detroit, Mich., a brother of the condemned slayer, and Sol Dann, a Detroit lawyer who represents Earl Ruby.

Fowler said he was guaranteed "complete freedom" in making decisions. He said he was told that Mrs. Eva Grant, a sister of the slayer, approved the decision to put him in charge of the defense

team. Judge Joe B. Brown said Fowler informed him of his appointment as chief defense attorney and they discussed a hearing scheduled for June 19 in Criminal District Court No. 3.

Judge Brown scheduled the hearing at the request of Tonahill and Burleson. The jurist said he would listen to testimony and arguments, then decide whether a jury should rule on Ruby's mental status.

Prosecutors challenged the defense contention that Ruby became insane after a jury agreed he should die in the electric chair for the murder of Lee Harvey Oswald, the Marxist accused of killing President John F. Kennedy here.

Tom Howard, a Dallas lawyer defended Ruby after he shot Oswald while millions watched on television. Howard withdrew from the case after a disagreement over strategy with Melvin Belli, who was hired by the family as chief defense attorney.

The family fired Belli after jurors returned the death penalty and the flamboyant San Francisco lawyer flayed Dallas in a courtroom outburst.

Percy Foreman of Houston served briefly as chief defense attorney. He said he quit because Mrs. Grant "wanted to tell me how to handle the case."

Then, Dr. Hubert Winston Smith of Austin, who holds both medical and legal degrees, took over. He quit a week ago, saying that he needed to return to teaching duties in the University of Texas Law School to support his family.

Mr. Tolson	_____
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"The Dallas
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Dallas, Texas.

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Editor: Jack B. Krueger
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Submitting Office: Dallas
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46 JUN 25 1964

88 JUN 26 1964

SCATTERING HAYSEED

'Country' Image Delights Fowler

By KENT BIFFLE

"Clayton comes into a courtroom, scatters hayseed in the jury box and walks out with the verdict," a lawyer said Tuesday.

He was talking about Clayton Fowler, new chief defense counsel for Jack Ruby.

Fowler has a low flashpoint. As president of the Dallas County Criminal Bar Association, he recently took to task the powerful Dallas Crime Commission.

During the Ruby trial, he openly criticized use of a public relations firm by Judge Joe B. Brown, who still presides over the case.

The only way to compare Fowler with San Francisco's Melvin Belli, who directed defense during the trial, is to say they are poles apart.

"Why Mr. Belli is a polished lawyer," said Fowler humbly. Then he began remarking on how the case should have been handled in the first place.

Fowler said, "That psycho psychomotor . . . what did he call it? Psychomotor epilepsy. That was a new approach to insanity."

"In Texas we have a test for insanity in criminal cases. It may be antiquated. But it's still the law. It centers on the question of whether the defendant knew right from wrong."

More important, Fowler feels, is that Belli's defense did not emphasize an appeal for mercy from the jury. "They put all their eggs in one basket," he said, quoting Dist. Atty. Henry Wade.

"They didn't give jurors a chance to wonder what they themselves would have done in Jack Ruby's shoes. They didn't make a strong plea for sympathy," he said.

The immediate plan of Fowler, who in more than 20 death penalty cases hasn't lost a client to the electric chair, is to search the

trial record for legal errors.

At a change of venue hearing last year, Fowler testified he felt that Ruby couldn't get a fair trial in Dallas County. He said Tuesday that still holds true.

He pointed out, however, that he is not abandoning the sanity issue and will likely pursue that later on.

"Red" Fowler, 43, comes from the piney woods around Colmesneil (Tyler County). "They let you out of high school when you can spell the name of the place," he grinned.

A big man with thinning red hair, Fowler puts saccharin pellets in his iced tea in an attempt to hold his weight to 220.

During Yule season he abets his partner Costine A. Droby in mixing up for lawyers and news media men something called World War Five Punch.

It includes fermented strawberries, champagne, sweet potatoes, cucumbers, onions, and nausam.

A 3-time loser in legislative races, Fowler is a Boy Scout committeeman and an elder at

Churchill Way Presbyterian Church. He has four children.

Many of Fowler's acquaintances don't know that he is missing a right leg. It was lost in the crash of a Navy training plane in 1942.

Fowler went to Southern Methodist University Law School and the GI bill. But he's never completely left the piney woods. He has a 1,500-acre farm in Tyler

County where he raises quail.

In a dispute over ownership of a hog, Fowler once subpoenaed the pig into court. He delights in his "country" image and he likes being thought of as a "common man."

And if Life Magazine really thinks Henry Wade has "a cornball manner," they haven't yet met Clayton Fowler.



—Dallas News Staff Photo

Clayton Fowler . . .
Hasn't lost a client to the
chair yet.

★ RUBY CLUB MAY REOPEN

The Carousel may become the Merry-Go-Round.

Clerks in County Judge Lew Sierrett's office said Tuesday that Norman Earl Wright, a 38-year-old comedian, informed them he will apply for a beer and wine permit for a club at 1312½ Commerce.

When Jack Ruby ran a striptease club at the Commerce Street address, it was known as the Carousel.

Wright said he plans to call his club the Merry-Go-Round.

The Texas Liquor Control Board canceled the Carousel's beer license after Ruby shot Lee Harvey Oswald, the Communist sympathizer accused of assassinating President John F. Kennedy.

A reorganized corporation, which dropped Ruby as an officer, asked Judge Sierrett to approve a new permit. He refused.

Wright listed his address as 6013 Reiger, and described himself as "a comedy master of ceremonies" who has performed in various night clubs.

Judge Sierrett will schedule a hearing when Wright files his request.

Round the Nation:

Ruby's New Lawyer

Favors Appeal Route

Ruby's New Lawyer

Clayton (Red) Fowler, a trial lawyer who has saved at least a dozen men from the electric chair, yesterday became Jack Ruby's fifth chief defense attorney.

The six-foot 225-pounder indicated he may change tactics to save Ruby from execution. "Before pursuing the insanity route," he said, "I would like to follow the appeal route, as long as Jack is getting medical treatment."

Tolson ☒
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16 JUN 12 1964

61 JUN 12 1964

The Washington Post and Times Herald ☒
 The Washington Daily News ☒
 The Evening Star ☒
 New York Herald Tribune ☒
 New York Journal-American ☒
 New York Mirror ☒
 New York Daily News ☒
 New York Post ☒
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 The Wall Street Journal ☒
 The National Observer ☒
 People's World ☒
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UPI-113

B. APPROX. 1921

(RUBY)

DALLAS--CLAYTON FOWLER, PRESIDENT OF THE DALLAS CRIMINAL BAR ASSOCIATION, TOOK OVER TODAY AS THE FIFTH CHIEF DEFENSE ATTORNEY FOR JACK RUBY.

FOWLER, 43, SAID HE WAS RETAINED YESTERDAY BY THE CONDEMNED SLAYER'S BROTHER, EARL OF DETROIT, MICH., AND SOL DANN, A DETROIT LAWYER WHO IS EARL RUBY'S LEGAL ADVISER.

FOWLER SAID HE WILL ASK J.H. TONAHILL OF JASPER AND PHIL PURLESON OF DALLAS, WHO HAVE BEEN ASSISTANT LAWYERS IN THE CASE FROM THE START, TO STAY. HE ALSO INDICATED THAT HE MAY CHANGE TACTICS IN THE CASE FROM AN EMPHASIS ON INSANITY TO ATTEMPTS TO GET A NEW TRIAL FOR THE SLAYER OF ACCUSED ASSASSIN LEE HARVEY OSWALD.

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46 JUN 11 1964

JUN 15 1964

WASHINGTON CAPITAL NEWS SERVICE

(Mount Clippings in Spaces Below)

Mr. Tolson	
Mr. Belmont	
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Mr. Gale	
Mr. Rosen	
Mr. Sullivan	
Mr. Tavel	
Tele. Room	
Miss Holmes	
Miss Gandy	

Warren Visits City And Talks to Ruby

By JOHN GEDDIE

Heavily guarded Chief Justice Earl Warren made a surprise trip to Dallas Sunday for a 3 1/2-hour interview with Jack Ruby and a 2-hour tour of the Texas School Book Depository.

Joe Tonnahill, a Ruby attorney, said the condemned killer was "very humble" during the interview but his mental condition was "bad, in my opinion."

Warren, the head of the commission now investigating the assassination of President Kennedy and subsequent events, was accompanied by Rep. Gerald Ford of Michigan, a commission member, and J. Lee Rankin, the commission's chief counsel.

The officials, accompanied by Sheriff Bill Decker, a stenographer, Tonnahill, Assistant Dist. Atty. Jim Bowie and former SMU Dean Robert Storey of Dallas, entered the county jail about 11:30 a.m. and left at 3 p.m.

The interview was held in a conference room at the jail rather than in Ruby's cell, Decker said.

Tonnahill said Ruby, known as a Warren admirer, shook hands with the chief justice and attempted to answer questions.

"The interview was as thorough as the situation was capable," the attorney said, "but Jack's mental state is bad."

Tonnahill called the visit "a very historical meeting."

It had been reported that Warren would visit Dallas during the week, but the Sunday interview was unannounced. A Secret Service agent showed surprise at the number of news media men on the scene.

Officials at the Dallas Police Department said they were not notified. No city officers were on duty at the crowded assassination site.

The group arrived at the Texas School Book Depository—apparently direct from the airport—about 9:30 a.m. A long, covered object—believed to be the rifle allegedly used by Lee Harvey Oswald—was carried into the building. Agents also carried books or bound volumes of testimony into the building.

When Warren emerged from the building at 11:30 a.m., he ignored questions and climbed into a Secret Service car for a short,

quick trip to the rear of the county jail. At approximately the same time, Ruby's two brothers and sister arrived at the jail. They said they did not know of the federal interview. Earl Ruby of Detroit was accompanied by Dr. Emanuel Tanay, a professor of psychiatry at Wayne University at Detroit, and Sol Dann, Earl Ruby's attorney.

Sam Ruby appeared before the commission Tuesday, he said.

He added that his brother was "in bad shape" Saturday.

When the group left under guard at 3 p.m., Warren again ignored questioners — this time with a tight smile. Rankin paused to say that "we took the testimony of Jack Ruby."

The group then went to the 3525 Turtle Creek apartment of Dr. Storey, former dean of the Southern Methodist University Law School and now a member of Texas Atty. Gen. Waggoner Carr's panel on the investigation.

After leaving North Dallas, the agents drove Warren through the Oak Cliff area where Oswald and Ruby lived, and where Oswald was captured. They then went to Hensley Field where they reportedly left for Washington.

(Indicate page, name of newspaper, city and state.)

1 "The Dallas
Morning News"
Dallas, Texas

Date: 6-8-64
Edition:
Author:
Editor: Jack B. Krueger
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or
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Submitting Office: Dallas
☐ Being Investigated

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46 JUN 25 1964

ORIGINAL FILED IN 44-2411-A

64 JUN 26 1964



—Dallas Times Staff Photo by Clint Grant.

Chief Justice Earl Warren, left, talks with Dr. Robert Storey, former dean of the Southern Methodist University Law School and now a

member of the Texas attorney general's assassination investigation panel. The two are shown at Storey's apartment at 3525 Turtle Creek.

(Mount Clipping in Space Below)

Mr. Tolson _____
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 Mr. Casper _____
 Mr. Callahan _____
 Mr. Conrad _____
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 Miss Holmes _____
 Miss Gandy _____



—Dallas News Staff Photo.

NEW PSYCHIATRIST IN RUBY CASE

Detroit attorney Sol Dann, left, and Mrs. Eva Grant talked Sunday, with Dr. Emanuel Tanay, center, a professor of psychiatry at Wayne

University in Detroit, Earl Ruby's home. The trio talked downstairs while Jack Ruby was interviewed by Chief Justice Earl Warren.

(Indicate page, name of newspaper, city and state.)

"The Dallas
 Morning News"
 Dallas, Texas

Date: 6-8-64
 Edition:
 Author:
 Editor: Jack B. Krueger
 Title:

Character:

or

Classification:

Submitting Office: Dallas

☐ Being Investigated

2 JUN 23 1964

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Ruby Denies Oswald Links

DALLAS, Tex., June 8 (AP). Jack Ruby has told Chief Justice Warren he had no connection with accused assassin Lee Harvey Oswald, whom he shot and killed two days after the slaying of President Kennedy.

This was reported by a reliable source after Mr. Warren spent more than three hours yesterday with Ruby in the Dallas County jail.

It was believed to be the first time a Chief Justice of the United States ever took testimony from a prisoner in jail.

Tours Depository

Mr. Warren and other members of the Warren Commission also toured the Texas School Book Depository Building, from where the assassin is alleged to have fired rifle bullets at Mr. Kennedy, as well as Oswald's rooming house and Ruby's apartment.

They also visited the Texas Theater, where Oswald was captured, and the intersection nearby by where policeman J. D. Tippitt was slain.

Oswald was charged with the

murders of both Mr. Kennedy and Officer Tippitt.

Ruby is under the death sentence for slaying Oswald.

Asked About Conspiracy

Details of the jail conference were not made public. However, it is known that Mr. Warren, J. Lee Rankin, commission counsel, and Representative Ford, Republican of Michigan, a commission member, asked Ruby if he knew Oswald and if there was a conspiracy involved when he shot him.

Ruby reportedly said no. He also was asked about his trip to Cuba in the late 1950s, but his answers are unknown.

Also present at the meeting were defense lawyer Joe Tona-hill, Assistant District Attorney A. D. Jim Bowie, and a commission stenographer.

Mr. Tonahill told a news conference that Ruby and Mr. Warren shook hands at the start and close of the conference.

Belmont ✓
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Warren Sees Ruby in Jail For 3 Hours

Chief Justice Earl Warren, head of the commission preparing the definitive report on the assassination of President Kennedy, yesterday visited the county jail in Dallas, Tex., and talked with Jack Ruby for three hours.

Ruby is the condemned slayer of Lee Harvey Oswald, Mr. Kennedy's accused killer.

With Mr. Warren were J. Lee Rankin, the commission's chief counsel; two of Mr. Rankin's aids, commission member Rep. Gerald R. Ford, R., Mich., and a stenographer.

The Chief Justice refused to comment when he left, but Mr. Rankin said the group "took the testimony of Jack Ruby."

Before going to the jail, the two men spent two hours at the Texas Schoolbook Depository building, which is across the street from the jail. It was from this building that the assassin fired on President Kennedy and Texas Gov. John Connally last Nov. 22.

The visit to Ruby, who was convicted and sentenced to death March 14 for fatally shooting Oswald in the Dallas police headquarters last Nov. 24, came as a surprise. It also took place as it became known that the commission is determined to scotch speculation that it has prematurely assessed Mr. Kennedy's assassination.

Reports that the commission had concluded before

its investigation was completed—that Oswald acted alone has forced the panel to go all-out to dispel doubts as to the thoroughness of its proceedings.

This week in Washington, the Warren commission will make an exhaustive study of the Russian interlude in Oswald's life in order to examine the theory that Mr. Kennedy met his death as a result of a conspiracy.

The commission tomorrow and Wednesday will hear testimony from high-ranking State Department officials, headed by Secretary of State Dean Rusk and former U. S. consular officials in Moscow.

It is certain the commission is interested in corroborating reports and gathering new evidence pertaining to Oswald's residence in the Soviet Union, his attempt to renounce his American citizenship and circumstances surrounding his return to the U. S.

Among the State Department officials scheduled to be heard by the commission, in addition to Secretary Rusk, are Richard E. Snyder and John McVickar, consul and deputy consul in Moscow, while Oswald lived in Russia; Abba P. Schwartz, security director; Abram Chayes, legal adviser; Frances P. Knight, director of the passport division; James Richie and Carroll Seeley Jr., department attorneys; Virginia James, Office of Soviet Affairs, and Bernice Waterman.

Today, the commission will hear Dallas County District Attorney Henry Wade and Dallas police sergeant Patrick Dean.

The commission is expected to question the two officials concerning persistent reports that Oswald and Ruby were acquainted prior to the Nov. 22 assassination.

It has been learned that an estimated 10 persons have signed sworn depositions that they personally knew Oswald and Ruby to have been acquainted. However, polygraph tests given the volunteer witnesses have shown their testimony to be false.

Among the 10 were a Dallas attorney and a waitress who claimed she had once served

Oswald and Ruby as they sat together in a restaurant. Several of the 10 were checked out to be homosexuals. Psychiatrists also gave Ruby extensive tests have reported homosexual tendencies in the former strip-club operator.

Dallas officials may also testify regarding evidence that shortly before the assassination, Oswald had sought employment on the second floor of a parking garage situated along the parade route followed by the Presidential party on Nov. 22.

The difficulty facing the commission is that the evidence against Oswald is circumstantial since there were no eyewitnesses to the shooting.

Yet, it is known that investigators have found at least three witnesses who have testified they saw a rifle jutting from the sixth-floor window of the Texas School Book Depository where Oswald worked and where he is said to have fired the shots that killed President Kennedy.

On Thursday Mr. Marina Oswald, Russian-born widow of the suspected assassin, will make a repeat appearance before the commission.

Last Saturday, the commission took the personal testimony of Mrs. Jacqueline Kennedy, the late President's wife who was at his side when he was killed. After commission members heard her account in her Georgetown home, they issued a one-sentence statement: "The President's commission took the testimony of Mrs. John F. Kennedy at her home this afternoon."

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Epifanio

UPI-124

(ASSASSINATION)

DALLAS.--A DALLAS AUTO SALESMAN TOLD THE DALLAS TIMES HERALD TODAY THAT ONE OF THE THREE BULLETS FIRED DURING THE ASSASSINATION OF PRESIDENT KENNEDY WENT WILD, CRASHED INTO A CURB AND APPARENTLY HIT HIM.

LAST WEEK, KRDL-TV SAID IN A COPYRIGHT STORY THAT THE THIRD SHOT WENT WILD. THE TELEVISION STATION QUOTED A SOURCE CLOSE TO THE WARREN COMMISSION AS SAYING THE FIRST BULLET APPARENTLY STRUCK BOTH PRESIDENT KENNEDY AND TEXAS GOV. JOHN CONNALLY AND THE SECOND HIT THE PRESIDENT IN THE HEAD.

THE 27-YEAR-OLD SALESMAN, WHO ASKED THAT HIS NAME NOT BE USED, SAID EITHER THE BULLET OR A CONCRETE CHIP GRAZED HIS FACE.

IN THE INTERVIEW, HE SAID HE WAS BY A CONCRETE ABUTMENT ON THE EAST SIDE OF THE TRIPLE UNDERPASS WATCHING THE MOTORCADE AS IT TURNED ON ELM AND HOUSTON.

"THERE WAS THAT FIRST SHOT...THEN THE SECOND AND THE THIRD," HE SAID. "SOMETIME I THINK IT WAS WITH THE SECOND, A BULLET--I'M SURE I WAS A BULLET--HIT THE CURB IN FRONT OF ME AND I FELT A STING ON MY CHEEK."

IN THE CONFUSION THAT FOLLOWED, HE DID NOT THINK ANYMORE ABOUT IT UNTIL A POLICEMAN TOLD HIM HIS FACE WAS BLOODY.

"WE WENT BACK TO WHERE I WAS STANDING AND SAW THE CREASE MARK--OBVIOUSLY FRESH--ON THE CURB. APPARENTLY WHAT HIT ME WAS THE BULLET RICCOCHETING OFF THE CURB OR POSSIBLY EVEN A PART OF THE CONCRETE--THOUGH I DOUBT IT."

HE SAID HE WAS ALMOST IN A DIRECT LINE FROM THE TEXAS SCHOOLBOOK DEPOSITORY BUILDING ON A DOWNWARD ANGLE IN FRONT OF THE KENNEDY CAR.

HE SAID HE TOLD HIS STORY THAT DAY TO A DALLAS DETECTIVE AND WAS INTERVIEWED BY FBI AGENTS IN MID-DECEMBER. HE SAID THE FBI TALKED TO HIM ABOUT 15 MINUTES AND SEEMED MORE CONCERNED "ABOUT WHETHER I KNEW JACK-RUBY."

HE SAID THE WARREN COMMISSION HAS NOT CONTACTED HIM.

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WASHINGTON CAPITAL NEWS SERVICE

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Ruby Still Refuses Medication in Cell

DALLAS, June 4 (UPI).—Condemned killer Jack Ruby refused medication in his Dallas County Jail cell for the second day today, saying he preferred to wait until he felt the need for it.

The medication, supposedly tranquilizers, was recommended by psychiatrists and ordered by District Judge Joe B. Brown.

County Health Officer Dr. J. M. Pickard said Ruby "was very pleasant" about the refusal. "He simply explained that he felt no need for such medication right now."

PREFERS TO WAIT

"He said he preferred to wait until he felt upset or when he needed it," Mr. Pickard said. "We will not push him, of course."

Dr. Pickard said he talked to the condemned slayer of Lee Harvey Oswald for a long time.

Judge Brown ordered the jail cell treatment for Ruby, to see if the mental disturbance doctors say he has can be

cured. At the same time, Judge Brown set a hearing June 19 to determine if he will call a sanity hearing as Ruby's lawyers have requested.

Results, if any, of the treatment will probably affect Judge Brown's decision regarding a sanity hearing.

Meanwhile, Phil Burleson and Joe Tonahill, the remaining Ruby defense lawyers, said they had no plans for hiring a new attorney to replace Dr. Hubert Winston Smith, who resigned.

Dr. Smith quit the defense yesterday to return to his job at the University of Texas Law-Science Institute, "to sustain myself and family."

He said he would serve the Ruby defense at no fee when he became the fourth chief counsel.

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Killer Spurns Medication in Cell Ruby's Latest Lawyer Quits

DALLAS, June 3 (UPI)—Dr. Hubert Winston Smith, Jack Ruby's most recent defense lawyer, has quit, Ruby's sister said yesterday.

At the same time, the sister, Mrs. Eva Grant, said Ruby had refused to take the medication—presumably tranquilizers—offered to him in his cell by psychiatrists.

'FRIENDLY'

Mrs. Grant said Dr. Smith's quitting was a "completely friendly disassociation" brought about because he was "cut off financially and unable to carry on the defense due to lack of funds for himself."

Dr. Smith, a physician as well as a lawyer, was on leave of absence from the University of Texas Law School to represent Ruby. He said he felt he had contributed what he came into the case to contribute: that is, he developed evidence and recruited scientific specialists to carry out further studies on Ruby's mental state.

Phil Burleson, another defense lawyer, said he and Joe Tonahill would continue to represent Ruby and did not plan to hire any new attorney.

Dr. Smith replaced famed Texas criminal lawyer Percy Foreman on the Ruby legal staff, after Mr. Foreman quit in a squabble over family interference and money.

Colorful Melvin Belli of San Francisco was fired before Mr. Foreman entered the case because of statements he made about Dallas. Another attorney, Tom Howard of Dallas, quit shortly after Mr. Belli took over.

Mrs. Grant said her brother refused to take medication offered to him in his cell yesterday by county medical examiner Dr. J. M. Pickard and defense psychiatrist Dr. William Beavers.

Judge Joe B. Brown had decided to have Ruby treated in his cell to see whether an apparent mental disturbance can be corrected. The judge has set a hearing June 19 to decide whether to call a formal sanity hearing, based on results of the treatment, if any.

Defense lawyers maintain the slayer of Lee Harvey Oswald has become insane since the trial in which he was sentenced to death.

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JUN 3 1964

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Mr. Trotter	✓
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REPORTER APPEARS BEFORE JFK ASSASSINATION PROBERS

Warren Commission Quizzing Is 'Intense'

By SETH KANTOR
Scripps-Howard Staff Writer

The President's commission on the assassination of President Kennedy operates on the undistinguished fourth floor of the Veterans of Foreign Wars building, two blocks from the Capitol.

Witnesses, more than 400 of them so far, still are coming. Of the three who testified yesterday, I was one.

I was summoned for two basic reasons. I accompanied the President to Texas as a reporter last Nov. 21. I spoke with Jack Ruby in Parkland Hospital within 90 minutes after Mr. Kennedy was shot.

KNEW RUBY

As a reporter in Dallas before moving to Washington, I had been acquainted with Ruby. He had steered me into leads on Dallas "characters" for the feature stories I wrote.

Mainly questioning me was Burt W. Griffin. He has one of the toughest jobs in American legal history—a key role in trying to solve the crimes committed more than six months ago against Mr. Kennedy and his alleged killer, Lee Harvey Oswald.

An attorney from Cleveland, Mr. Griffin has been an investigator on the Commission headed by Supreme Court Chief Justice Earl Warren since late last autumn.

"Is your work harder now?" I asked Mr. Griffin after he swore me in. "Isn't it tougher for people to remember now the minute details you need of that week-end last November than it would have been a half-year ago?"

He said Mr. Griffin, "It began to make no real differ-

ence. It has been hard for four months."

Here and in Dallas, Mr. Griffin has questioned many witnesses to the murders; has interrogated police; has talked with many who knew Oswald and Ruby.

INTENSIVE

Mr. Griffin's questioning was thoro. It was intensive. It required two hours.

Previously, I had been interrogated by the Dallas Police, superficially, about what I had seen thru the nightmarish week-end.

Twice I had been questioned

by three FBI men—professionals in their work.

But Mr. Griffin is a craftsman. He exacted from me the look and smell of the murder settings. I drew a diagram for him of my routes thru Parkland Hospital—nearly two hours' time reconstructed. I filled in for him my movements in the Dallas City Jail basement, before and after Oswald was shot.

REASSURED

Toward the end of the questioning, Mr. Griffin was joined by Leon D. Hubert Jr., a New Orleans attorney who is another chief investigator serving the

Commission. They worked on my memory like two surgeons drilling for delicate particles of a human brain. And I feel reassured about the way the Commission is digging into the crime of the century.

One thing I hope they clear up. Ruby has denied to the FBI that he went to the hospital on the day of the Kennedy shooting. But I was there too, and Ruby stopped me to talk about the slain President and tell me he was shutting down his strip joint as a token of respect. There is no doubt about his being there. But why would he deny it?

Washington Daily News
Wednesday, June 3, 1964

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Round the Nation: Ruby Treatment, Hearing Ordered.

JUDGE Joe B. Brown yesterday ordered immediate psychiatric treatment for Jack Ruby in his Dallas jail cell and set a June 19 show-cause hearing to determine whether the condemned killer will get a sanity trial before a jury.

Three psychiatrists will treat Ruby between now and the hearing. Brown said: "Whether Ruby will get a sanity trial will depend on how he responds" to the treatment. In which case the trial would be set for July 6.

Ruby has thrown what were described as suicidal tantrums twice in his cell and his attorneys are basing their next move on proving that he is not sane. Defense lawyer Joe Tonahill said Brown had considered having Ruby treated at Parkland Hospital, where President Kennedy died, but hospital authorities would not admit him.

Terror in New York

Alarmed civic authorities held emergency meetings in the Nation's largest city yesterday on the racial reign of terror as Negro gangs stepped up their attacks on whites in streets and subways and white vigilantes aimed to strike back.

New York's newspapers backed the vigilantes and urged armed patrols day and night. Union leaders demanded constant police protection on subways. Mayor Robert Wagner ordered full reports, met with Police Commissioner Michael J. Murphy and promised police reinforcements.

Hardest hit is the Crown Heights section, where a white schoolteacher was raped and murdered Saturday and Jewish elders organized "Maccabee" night patrols. The roving Negro "Mau-Mau" attacked whites on subways with knives, bottles and a meat cleaver in separate incidents over the weekend.

Murder in Waterloo

Ninety minutes after the body of an attractive 19-year-old daughter of a prominent Waterloo, Iowa, realtor was found half-nude, stabbed and strangled in her home, police arrested the 16-year-old son of a wealthy banker.

Officials would not disclose why they had arrested John Thomas Kyle so quickly. Kyle's family lives two blocks from the home of Diane Kay Gable. She had been stabbed twice in the heart, twice in the head, strangled and left on the liv-

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leg room floor in only a sweatshirt, bra and bobby socks.

Moonwatching

As the moon's black crater, Aristarchus, moved closer to the earth this week than it has been since mid-winter, astronomers bent to their scopes hoping to identify the huge red blotches first noticed late last year.

One theory is that the earth's gravity warps the moon's crust, allowing volcanic gases to escape through cracks, causing the phenomenon. Moonwatchers of a more romantic nature are unlikely to notice.

Minority Report

Six minority members of the House Foreign Affairs Committee urged that U.S. foreign aid should be "visible"—but not quite so visible as bubble gum, sex stimulants, jewels, eyeshadow, contraceptives and suntan lotion.

In a statement to accompany the Committee's report to the House on President Johnson's \$3.5-billion foreign aid bill, they declared that these and other "luxury" items had been bought by recipient nations with aid dollars. Although the U.S. demanded refunds

after learning how the money was spent, some \$24 million in refund claims remain uncollected.

Holiday Toll

A new record of traffic deaths was set over the Memorial Day weekend, but only when it is compared with a similar three-day Memorial weekend in 1958. In fact it was a mild toll by comparison to recent non-holiday weekends.

The new record was 431 dead on the highways, surpassing the 1958 Memorial weekend toll of 371. Traffic experts hastened to point out, though, that the non-holiday weekend two weeks ago ended in 490 traffic fatalities.

In Memoriam

A Dallas non-profit corporation called the American Memorial Institute has announced plans for a fund-raising drive to purchase the Texas School Book Depository building from which President Kennedy was shot.

The group hopes to turn the building into a museum of contemporary history dedicated to the late President.

Compiled from Washington Post and News Agency reports nationwide.

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UPI-29

(RUBY)

DALLAS--JUDGE JOE B. BROWN SAID TODAY HE WOULD RECOMMEND STEPS TO SETTLE THE QUESTION OF CONDEMNED KILLER JACK RUBY'S SANITY AND ASKED DEFENSE AND PROSECUTING ATTORNEYS TO ACCEPT HIS RECOMMENDATIONS.

HE DID NOT DISCLOSE DETAILS DURING A CONFERENCE WITH OPPOSING ATTORNEYS IN THE CASE BUT IT WAS BELIEVED HE WOULD CALL FOR IMMEDIATE PSYCHIATRIC TREATMENT OF RUBY EITHER IN HIS JAIL CELL OR IN A DALLAS HOSPITAL. THIS WOULD PUT OFF INDEFINITELY A SANITY HEARING BEFORE A JURY FOR THE 34-YEAR-OLD SLAYER OF ACCUSED PRESIDENTIAL ASSASSIN LEE HARVEY OSWALD.

DEFENSE ATTORNEY JOE H. TONAHILL OF JASPER, TEX., DEMANDED A SANITY HEARING. HE SAID THAT IF BROWN REFUSED A HEARING, THE DEFENSE WOULD TAKE THE ISSUE TO THE TEXAS SUPREME COURT.

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WASHINGTON CAPITAL NEWS SERVICE

ELECTROCUTION ATTEMPT

Ruby in New Death Try

15. May 29 (UPI).—Jack Ruby smashed his chair with a spittoon yesterday because he was angry with his brother Sam said. His finger in the bare socket and his chin, apparently broken, were visible as he wrestled with the chair.

IN New Death Try

IS. May 29 (UPI).—Jack Ruby smashed his chin, apparently on the chair, and broke his eyeglass lens. The jury found him guilty of the murder of Lee Harvey Oswald yesterday because he smashed his finger in the bare socket and broke his chin, apparently on the chair, and broke his eyeglass lens. The jury found him guilty of the murder of Lee Harvey Oswald yesterday because he smashed his finger in the bare socket and broke his chin, apparently on the chair, and broke his eyeglass lens.

SANITY HEARING

PSYCHIC HEARING
Judge Joe B. Brown, who presided at Ruby trial will meet with attorneys and psychiatrists Monday to discuss a sanity hearing for Ruby.
Ruby rammed his head into the cell wall when he was taken to the courtroom.

Ruby rammed his head into the jail cell wall April 26 in another apparent suicide attempt. The same day, guards caught him trying to tear his denim uniform into strips which could have been used to make a noose. Ruby's lawyers made a motion to have Ruby's trial postponed until Monday to discuss a sanity hearing for Ruby.

Ruby's lawyers maintain that he has gone insane since his conviction. The jury that convicted Ruby rejected his plea of insanity at the time of Oswald's murder. Ruby has been under treatment by psychiatrists in his jail cell.

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(Mount Clipping in Space Below)

Ruby Defense Presses Sanity Hearing Plea

A defense lawyer said Tuesday he stands ready to go into the federal courts if Judge Joe B. Brown refuses to order an immediate sanity hearing for Jack Ruby, condemned slayer.

Defense lawyers say Ruby has become insane since a jury ruled he should die in the electric chair for the murder of Lee Harvey Oswald, the man accused of assassinating President Kennedy.

"Jack is entitled to an immediate hearing as a matter of law," said attorney Joe Tonahill of Jasper. "I'm mystified by Judge Brown's delay in ordering it. Unless he does so immediately, we will go to the Texas Court of Criminal Appeals and the federal courts to protect his right."

A spokesman for Judge Brown said he has scheduled a conference of lawyers and psychiatrists for 10 a.m. Monday to discuss the defense plea for a sanity hearing. Prosecutors say they will ask the judge to reject the plea. The conference was tentatively scheduled for last Monday, but delayed.

"I'm going to call Judge Brown and ask him to make a decision this week . . . now," Tonahill said. "Phil (Phil Burleson, another defense lawyer) and I have been trying since April 27 to get a hearing. There's no earthly reason for further delay."

Judge Brown must decide whether a jury should pass on the present mental condition of the slayer. The slayer sat in his jail cell Sunday as federal agents re-enacted the assassination a block away.

Sheriff Bill Decker said, however, that Ruby was unable to see the agents. Agents had re-enacted the assassination previously while surveyors charted the paths of bullets which struck President Kennedy and Gov. John Connally. But the Warren Commission apparently wanted another staged under its supervision.

Investigators say paths of the bullets show conclusively that they came from a window in the Texas School Book Depository Building.

Investigators say paths of the bullets show conclusively that they came from a window in the Texas School Book Depository Building.

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Miss Gandy _____

(Indicate page, name of newspaper, city and state.)

8 "The Dallas
Morning News"
Dallas, Texas

Date: 5-27-64
Editions:
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Editor: Jack B. Krueger
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Submitting Office: Dallas
☐ Being Investigated

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Sane Then

RUBY

Insane Now

By DOM FRASCA

Copyright, 1964, N. Y. Journal-American

Jack Ruby was mentally sound when he killed Lee Harvey Oswald, the accused assassin of President John F. Kennedy, the court-appointed psychiatrist revealed for the first time today.

But fear of the death penalty has since driven Ruby to a state of insanity.

These are the official and heretofore secret findings of the court-appointed psychiatrist who examined Ruby recently.

In a taped, telephone interview from Dallas, Dr. Robert Stubblefield said today his examination reveals conclusively that Ruby was mentally competent when he shot Oswald to death last Nov. 24.

EXCLUSIVE

However, he added, there is no question that Ruby is presently mentally ill; haunted by the realization that a jury decreed he must die in the electric chair for the slaying of Oswald.

Dr. Stubblefield said:

"The issue now is to determine whether Ruby has become so disturbed that he cannot cooperate with his lawyers in the appeal of his conviction."

Eight days ago, Dr. Stubblefield was quoted as having said Ruby is now suffering from depression.

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JUN 4 1964 *Paul*

also a persecution complex—but he had made no mention of Ruby's mental condition at the time that Oswald was killed.

Asked whether he was able to make such a diagnosis, the psychiatrist replied, "yes, definitely."

He went on to say:

"Ruby was convicted by a jury that believed he knew what he was doing when he killed Oswald. My findings show the jury was absolutely correct.

"What has since happened to Ruby, happens to most prisoners who are condemned to death. He is naturally afraid of dying.

"Prisoners in Death Row often experience very severe depression similar to what Ruby is going

through now. Wardens of some prisons have been known to enter in conflicts about whether such executions should take place.

"As a psychiatrist, I must try to determine a prisoner's mental condition both at the time of the crime and after its commission.

"In Ruby's case, he has regressed. He has become dis-

organized, disturbed and frightened."

Dr. Stubblefield was appointed by Texas Judge Joe B. Brown to examine Ruby.

The prosecution and Ruby's lawyers also have their own psychiatrists diagnosing his condition.

It is likely that Ruby will beat the electric chair if he is adjudged insane at this

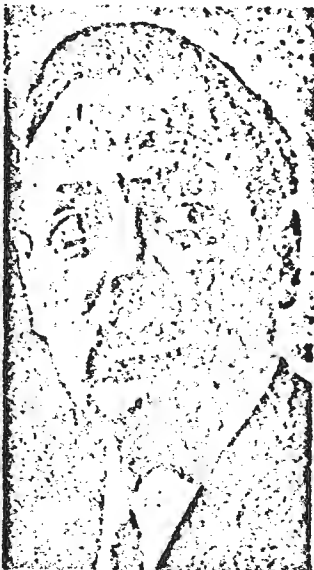
time—even though psychiatric findings show he was mentally competent when he killed Oswald.

Dr. Stubblefield indicated the reason for this when he said it must now be determined whether Ruby's mental condition would enable him to cooperate with his lawyers in the appeal of his conviction.

If he cannot do so, Texas

law requires his hospitalization.

Judge Brown has indicated that Ruby would be given a sanity hearing.

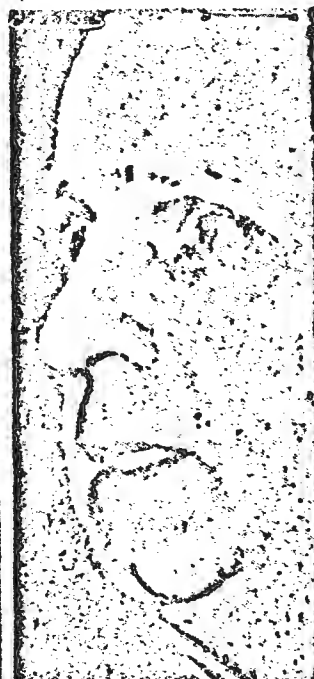


DR. STUBBLEFIELD
"Ruby Mentally Fit Now"



JACK RUBY
At Time of Shooting

AP Photo



JACK RUBY
As He Looks Today

AP Photo

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UPI-97

(RUBY)

DALLAS.--JUDGE JOE B. BROWN TODAY ORDERED A CONFERENCE OF PROSECUTION AND DEFENSE LAWYERS ON MONDAY TO DISCUSS A SANITY TRIAL FOR CONDEMNED KILLER JACK-RUBY.

BROWN DID NOT SAY WHETHER PSYCHIATRISTS WOULD BE PRESENT. HOWEVER, REPORTS OF STATE AND DEFENSE PSYCHIATRISTS, AS WELL AS A REPORT BY COURT-APPOINTED PSYCHIATRIST DR. ROBERT L. STUBBLEFIELD, WILL BE AVAILABLE FOR CONSIDERATION.

BROWN, WHO PRESIDED AT THE TRIAL OF THE SLAYER OF ACCUSED ASSASSIN LEE HARVEY OSWALD, SAID HE MIGHT SET A SANITY TRIAL DATE ON MONDAY. SUCH A TRIAL WOULD BE HELD BEFORE A JURY.

THE JUDGE DID NOT SET A TIME FOR MONDAY'S MEETING. PHIL BURLESON, A DEFENSE LAWYER, SAID BROWN TOLD HIM THE MEETING WOULD BE "AT THE CONVENIENCE OF THE MEN INVOLVED."

EARLIER THIS WEEK, BROWN SAID A SANITY TRIAL WAS LIKELY FOR THE 34-YEAR-OLD SLAYER.

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16 JUN 1 1964

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WASHINGTON CAPITAL NEWS SERVICE

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Ruby Lawyer to Ask For Sanity Hearing

By CARL FRIED

A defense lawyer said Wednesday he will ask Judge Joe B. Brown this week to order a sanity hearing for Jack Ruby.

The lawyer, Joe Tonahill of Jasper, said he will base the request on a report submitted to Judge Brown by Dr. Robert Stubblefield.

Dr. Stubblefield, who heads the Southwestern Medical School department of psychiatry, examined Ruby at Judge Brown's request.

The report prepared by Dr. Stubblefield states that Ruby is mentally ill and needs treatment, preferably in a hospital. The psychiatrist noted, however, that a man may be legally sane although mentally ill since medical and legal standards differ.

Tonahill said:

Judge Brown assured us he would schedule a hearing and let

a jury pass on Ruby's sanity if Dr. Stubblefield believed him mentally ill. We feel we were entitled to the hearing on the basis of Dr. West's affidavit and testimony. Now there can be no doubt."

Tonahill referred to Dr. Louis Jolyon West of the University of Oklahoma medical school, who said Ruby had delusions that he was "responsible for the slaughter of millions of Jews" throughout America.

Defense lawyers claim Ruby has become insane since a jury sentenced him to the electric chair for the Nov. 24 murder of Lee Harvey Oswald, the Marxist accused of killing President John F. Kennedy and policeman J. D. Tippit.

If a jury agreed, Ruby would go to a mental hospital and could not be executed unless his sanity was restored.

Dist. Atty. Henry Wade contends Ruby is sane and says he sees "no need whatever" for a sanity hearing now.

Wade said he was willing for Ruby to receive treatment temporarily in a hospital if psychiatrists think it is needed "to snap him out of his depression."

Tonahill said this "does not go far enough" and the defense will argue it is entitled to a sanity hearing as a matter of law.

If Judge Brown does order a hearing, prosecutors want him to delay it until September or October. By that time, they believe, the slayer's mental condition will have improved or deteriorated to such an extent that there will be little doubt about his sanity.

Judge Brown indicated last week he would delay a decision until he confers with Dr. Stubblefield; Dr. John Holbrook, who examined Ruby for the district attorney's office, and Dr. William Beavers, who was employed by Ruby's family.

Wade said Tuesday he had been informed Ruby was receiving "treatment for his mental condition" in the jail. The district attorney said Thursday he referred to interviews with psychiatrists and not to pills.

(Indicate page, name of newspaper, city and state.)

1 "The Dallas
Morning News"
Dallas, Texas

Date: 5-21-64
 Edition:
 Author:
 Editor: Jack B. Krueger
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 Submitting Office: Dallas
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4 JUN 11 1964

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Ruby Getting Jail Mental Treatment

DALLAS, May 19 (UPI) District Judge Joe B. Brown disclosed today that condemned killer Jack Ruby is being treated for a mental illness in his maximum security cell.

The slayer of accused assassin Lee Harvey Oswald is expected to be given a sanity hearing.

Reports leaked out that Dr. Robert Stubblefield, a court-appointed psychiatrist, had told Judge Brown that Ruby, 54, has a mental illness that should yield to treatment.

"Things so far indicate a sanity hearing," Brown said.

District Attorney Henry Wade, who prosecuted Ruby, said he would not object to treatment in jail or in a psychiatric hospital without a sanity hearing.

"It's my understanding that Ruby needs some kind of treatment," Wade said.

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46 MAY 27 1964

66 MAY 26 1964

The Washington Post and Times Herald 017
 The Washington Daily News _____
 The Evening Star _____
 New York Herald Tribune _____
 New York Journal-American _____
 New York Mirror _____
 New York Daily News _____
 New York Post _____
 The New York Times _____
 The Worker _____
 The New Leader _____
 The Wall Street Journal _____
 The National Observer _____
 People's World _____
 Date _____

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Wade Says Ruby Receiving Mental Treatment in Jail

By CARL FREUND

Jack Ruby is receiving "treatment for his mental condition" in his county jail cell, Dist. Atty. Henry Wade said Tuesday.

Wade and Sheriff Bill Decker said they did not know what doctors had prescribed for the condemned slayer. Judge Joe B. Brown told reporters later, "I believe they are giving him 'happy pills' (tranquilizers) or something."

Wade said psychiatrists hope to "snap Ruby out of his depression."

Wade said he would not object to hospital treatment for Ruby. But, the district attorney said, he would oppose a defense plea for a sanity hearing before a jury at this time.

Wade confirmed a Dallas News story which reported that a court-appointed psychiatrist, Dr. Robert Stubblefield, believed Ruby mentally ill.

The story said:

—Dr. Stubblefield advised Judge Brown that Ruby needed treatment, preferably in a hospital, for his mental condition.

—The psychiatrist noted that, since medical and legal standards differ, a man may be legally sane although doctors regard him as mentally ill.

—Psychiatrists believe Ruby suffers from a mental condition known as "depression" and, in addition, has a persecution complex.

Wade said:

"It is my understanding this condition is fairly common among men sentenced to the electric chair—that it is more the rule than the exception. Dr. Stubble-

field's report certainly does not mean Ruby is legally insane."

Judge Brown said he wants to study other reports and confer with psychiatrists before deciding whether to order a sanity hearing.

Defense lawyers said Ruby has "deteriorated" behind jail bars since a jury sentenced him to die for the murder of Lee Harvey Oswald, the Marxist accused of killing President John F. Kennedy and policeman J. D. Tippit.

The lawyers said they want an early hearing.

If Judge Brown does decide to order a hearing, prosecutors say, he should not schedule it before September or October.

By that time, they say, his condition should have improved or worsened to such an extent that there is little doubt about his sanity.

If a jury ruled Ruby insane, the verdict would "freeze" court action on his appeal. But, if Judge Brown sent him to a hospital for treatment without having a hearing before a jury, the courts could act on the appeal.

Judge Brown said at an April 29 hearing, however, that he doubts he has the power to send Ruby to a hospital.

Dr. Stubblefield said he expects Ruby's condition to alternately improve and worsen.

The psychiatrist said that, like many men sentenced to death, Ruby does not trust his lawyers.

Dr. Stubblefield said Ruby feels also that he is being blamed for the assassination of President

Kennedy here and wants to take a lie detector test to prove he was not a part of any conspiracy.

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(Indicate page, name of newspaper, city and state.)

6 "The Dallas Morning News" Dallas, Texas

Date: 5-20-64
Edition:
Author:
Editor: Jack B. Krueger
Title:

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Classification:
Submitting Office: Dallas
☐ Being Investigated

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File 6-107

RUBY IS TREATED FOR MENTAL UPSET

Receiving Pills in His Cell, Dallas Judge Reports

By United Press International

DALLAS, May 19—District Judge Joe B. Brown disclosed today that Jack L. Ruby was being treated for a mental illness in his maximum security cell.

The slayer of Lee H. Oswald, the accused assassin of President Kennedy, is expected to be given a sanity hearing.

Reports leaked out that Dr. Robert Stubblefield, a court-appointed psychiatrist, had told Judge Brown that Ruby, 34 years old, has a mental illness that should yield to treatment.

"I understand they are treating him in jail right now," Judge Brown said. "I believe they are giving him 'happy pills' [tranquillizers] or something. Things so far indicate a sanity hearing."

District Attorney Henry Wade, who prosecuted Ruby, said he would not object to treatment in jail or in a psychiatric hospital without a sanity hearing.

"It's my understanding that Ruby needs some kind of treatment," Mr. Wade said. "He's been under a strain, sitting up there knowing he has been sentenced to the electric chair."

Mr. Wade said he did not completely understand Dr. Stubblefield's report. But he said he believed that Ruby had fits of depression, not uncommon in persons awaiting execution.

Dr. J. L. West of the University of Oklahoma, a new defense psychiatrist, said Ruby was under the delusion that all Jews in the country were being slaughtered and that he was responsible.

Judge Brown on April 29 denied Ruby a new trial. But Ruby's lawyers filed a motion in the name of Ruby's sister for a sanity trial with a jury.

Jury sanity trials are easy to get in Texas, although not automatic. Judge Brown appointed Dr. Stubblefield to give a professional opinion on whether Ruby was shamming.

A jury can consider only whether Ruby has become insane since the verdict. When the jury convicted him March 11 it was because of the evidence.

Conspiracy Angle Denied

DALLAS, May 19 (AP)—The authority before whom Oswald was arraigned said today that no charge of conspiracy was filed against him because no evidence of conspiracy could be found.

"He was a loner," said the official, Justice of the Peace, David L. Johnston.

Mr. Johnston said in an interview that he overheard an assistant district attorney and a policeman discussing whether a conspiracy-to-murder charge should be filed. But the justice of the peace said there was no evidence of a conspiracy. Only a murder charge was filed.

The justice of the peace said he understood that a Washington official telephoned District Attorney Henry Wade asking that the murder charge not include a conspiracy charge.

However, Mr. Wade said to



United Press International
Jack L. Ruby

day, "I received calls from all over the country" about a possible conspiracy, "but none from officials."

In another development, a report showed Mrs. Marina Oswald, widow of the accused assassin, had received \$70,795 in gifts and from sale of a picture.

The accounting was filed in Judge Dee Brown Walker's court by James H. Martin, the widow's personal manager, and John M. Thorne, her attorney-agent.

Donations totaled \$65,795, while sale of a photograph brought \$5,000. Expenditures amounted to \$5,490 by Mrs. Oswald or for her by her manager or attorney.

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46 MAY 25 1964

The Washington Post and Times Herald _____
The Washington Daily News _____
The Evening Star _____
New York Herald Tribune _____
New York Journal-American _____
New York Mirror _____
New York Daily News _____
New York Post _____
The New York Times _____
The Worker _____
The New Leader _____
The Wall Street Journal _____
The National Observer _____
People's World _____
Date 5/20/64

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Ruby Hospitalization Okay If Necessary, Wade Says

(Indicate page, name of newspaper, city and state.)

20 "The Dallas
Times-Herald"
Dallas, Texas

Dist. Atty. Henry Wade said Tuesday the state would not object to hospitalization and treatment of condemned slayer Jack Ruby if the three doctors examining him think it necessary.

Dr. Robert Stubblefield, court-appointed psychiatrist, filed a lengthy report with Judge Joe B. Brown Monday and informed sources indicate the doctor found Ruby was emotionally ill.

But Dist. Atty. Henry Wade said it was not uncommon for condemned prisoners to become emotionally disturbed or mentally ill. He said this did not mean Ruby was legally insane.

"I do not think from these re-

ports that a sanity hearing at this time is justified," Mr. Wade said. "But if the doctors say he should have treatment and observation in his county jail cell or in Parkland Hospital it will be all right with the state."

Mr. Wade said he doubted that any sanity hearing would be held before next fall even if the prosecution insists.

"I do not see anything in Dr. Stubblefield's report that would call for him (Ruby) to be institutionalized," he said.

Judge Brown said he does not intend to set a date for a sanity hearing until he confers with attorneys and has reports from two other psychiatrists.

These reports are expected from Dr. William R. Beavers, who was retained by the Ruby family to treat the 53-year-old former nightclub operator, and Dr. John T. Holbrook, who represents the state.

Dr. Holbrook is expected to examine Ruby in his jail cell again this week before making any report to the district attorney's office.

Dr. Beavers reportedly told Ruby's family that he feels the defendant is suffering from a psychotic depression and should be hospitalized for treatment. He also reportedly recommended treatment of Ruby's mental condition with tension-relieving drugs.

Dr. Stubblefield said Tuesday he was under strict orders from the court not to discuss the findings in his report, and Judge Brown declined to make the text public.

Ruby's sister, Mrs. Eva Grant, has asked for a sanity hearing for her brother, claiming that he has become insane in his jail cell since his trial. Ruby injured himself by bashing his head into his cell wall last month in an apparent suicide attempt.

Date: 5-19-64

Edition:

Author:

Editor: Felix R. McKnight

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Submitting Office:

Dallas

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JOINS APPEAL TEAM

Chicagoan Bellows New Ruby Attorney

Charles A. Bellows, distinguished Chicago criminal lawyer, has been hired to save Jack Ruby from the electric chair for the murder of Lee Harvey Oswald.

Bellows, 61, a specialist in criminal cases, said he accepted the job March 27, a week after Ruby fired his chief counsel, Melvin M. Belli of San Francisco, at the request of four Chicago members of Ruby's family.

In an interview in his offices at 10 S. La Salle st., Bellows said he turned down a previous offer to defend Ruby at his Dallas murder trial because he was too busy. Belli was then hired.

Bellows, an articulate and sometimes outspoken orator, said Ruby personally approved him as a consulting attorney when he visited the condemned man in the Dallas county jail April 26.

Ruby Appeal Team

The Chicago lawyer joins the Ruby appeal team of attorneys headed by Dr. Hubert Winston Smith, director of the law science academy at the University of Texas. Others include Philip Burleson of Dallas, and Joseph Tonahill of Jasper, Tex.

Bellows refused comment other than: "We are engaged busily working on the appeal and we are quite optimistic that Ruby will not be executed." The execution date has not been set.

Ruby is awaiting death for the Nov. 24 shooting of Oswald, accused assassin of President Kennedy, in the basement of the Dallas jail. He received the death sentence March 14



CHARLES A. BELLOWES
 "Quite optimistic"

after a stormy trial in which his attorneys pleaded temporary insanity.

Talked 8 Hours

On his jail visit Bellows said he spent 8 hours with Ruby in his cell discussing the case.

Bellows has earned contempt citations as well as backslaps from judges during his 35 years of Chicago practice. He is known for speaking his mind before judges and juries.

He was graduated from the University of Chicago law school in 1924 and went to work as a law clerk. From 1926 to 1933 he was an assistant state's attorney.

Lost Only 1 Client

He then entered private practice, defending persons accused of every type of crime. "It would be silly for me to say I'd defend a man charged with murder, but not rape," he once said.

He has lost only one client to the electric chair.

Bellows is now defending Calvin Kovens, a Miami Beach contractor who is a co-defendant in the fraud and conspiracy trial of Teamster Union President James R. Hoffa. He said this will not conflict with the Ruby appeal.

(Indicate page, name of newspaper, city and state.)

1 CHICAGO AMERICAN
 CHICAGO, ILLINOIS

Date: 5-14-64
 Edition: 3 STAR FINAL
 Author:
 Editor: LUIE CARROLL
 Title: JACK RUBY

Character:
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 Classification: 44-645
 Submitting Office: CHICAGO

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Doctors Say Ruby Has Lost Weight

Doctors estimate Jack Ruby has lost between 20 and 30 pounds while held in the county jail. The Dallas News was told Saturday.

Informed sources say these doctors expect a further decline in both the physical and mental condition of the condemned slayer unless jail treatments snap him out of a "state of depression."

Ruby's condition apparently results from:

—The knowledge that he has been sentenced to the electric chair.

—The realization that most Americans did not approve of his decision to kill Lee Harvey Oswald, the 24-year-old Communist accused of murdering President Kennedy and Patrolman J. D. Tippit.

—His five months in the jail where he gets little sunshine, fresh air or vigorous exercise.

Prosecutors charged during Ruby's murder trial that the striptease club manager shot Oswald while millions watched on television in the mistaken belief that he would become a national hero.

Ruby realizes now that the majority of the American people condemn the manner in which he shot a manacled man, the sources said.

Judge Joe B. Brown says he will not disclose contents of reports submitted to him by psychiatrists who examine Ruby.

But it is apparent that, while

they agree that Ruby's condition has deteriorated since his trial, they do not agree whether he is legally sane.

Dist. Atty. Henry Wade said last week he believes Ruby "may have deteriorated physically and mentally" while sitting in the shadow of the electric chair. Wade said, however, he is convinced the 33-year-old slayer remains legally sane.

A defense psychiatrist contended Ruby has "cracked up" and suffers from delusions that he is responsible for "the slaughter of millions of Jews."

Ruby appeared gaunt and agitated during courtroom appearances.

Sheriff Bill Decker said guards will weigh Ruby to determine his weight loss.

Asked about the estimate Ruby has lost between 20 and 30 pounds, Decker replied, "I'd say that is about right."

A nurse takes Ruby's temperature periodically and makes notations available to psychiatrists.

Dr. W. R. Beavers, a psychiatrist employed by the Ruby family, suggested Ruby receive drugs for his mental condition. Decker said, however, he would want approval of the county health officer and "all psychiatrists involved in the case" before the drugs are given.

"We couldn't have one psychiatrist prescribing one drug and another prescribing something else without any coordination,"

the sheriff said.

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29 "The Dallas
Morning News"
Dallas, Texas

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Editor: Jack B. Krueger
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Submitting Office: Dallas
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56 MAY 28 1964

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**RUBY GETS
SHERIFF VOTE**

FORT WORTH, Texas (UPI)

—In the Sheriff's election in Tarrant County Saturday night, Jack Ruby received one write-in vote.

The condemned killer of accused assassin Lee Harvey Oswald is in a jail cell in Dallas.

Prosecutor Calls Ruby Legally Sane

DALLAS, Tex., May 1 (AP).—District Attorney Henry Wade concedes that Jack Ruby "may have deteriorated physically and mentally" since his trial, but said he believes the condemned slayer remains legally sane.

Mr. Wade's comment came after two Dallas psychiatrists, Dr. Robert L. Stubblefield and Dr. John Holbrook, examined Ruby in his county jail cell.

Judge Joe B. Brown yesterday asked Dr. Stubblefield, who heads the Southwestern Medical School psychiatry department, to prepare a report on Ruby's mental condition. Dr. Holbrook represented the district attorney's office.

Dr. Stubblefield's findings would help Judge Brown decide whether he will order a sanity hearing for Ruby.

The judge said also he may hear testimony before he decides whether to schedule the hearing.

Normally, unless judges feel lawyers are acting in bad faith, they order sanity hearings when defense attorneys file affidavits that a prisoner has become insane since his trial.

A defense psychiatrist told Judge Brown Monday that Ruby has become insane and has delusions that "millions of Jews are being slaughtered" because he shot Lee Harvey Oswald after Oswald was accused of murdering President Kennedy.

If a jury ruled Ruby insane, he would go to a State hospital for the rest of his life unless another jury decided he was sane. In that event, he would be put to death unless the appellate courts granted him a new trial or the board of pardons and paroles changed his sentence to life imprisonment with the approval of the Governor.

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46 MAY 12 1964

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Ruby's Lawyers Begin Preparation of Appeal

DALLAS (Tex., April 30 (AP)). --The Jack Ruby case enters a new phase today as lawyers begin formal preparation of appeals documents for the Texas Court of Criminal Appeals.

Attorney Joe Tonahill said he hopes to have the matter before the State's only appellate criminal court within six months.

Judge Joe B. Brown denied a defense motion for a new trial yesterday—exactly a month and a half after Ruby, 33, received a death verdict from a Dallas jury.

The former night club operator was convicted of murder with malice for the November 24 killing of Lee Harvey Oswald, alleged assassin of President Kennedy.

Should the Court of Criminal Appeals rule against Ruby, he and his lawyers will have to turn to the Federal courts. Observers say the appeal of the verdict could take years.

Ruby's lawyers asked the judge to let them elicit testimony from witnesses they said would impeach the trial testimony of a key prosecution witness. But Judge Brown refused.

Mr. Tonahill said Ruby had been convicted on "false and perjured testimony." He said some of the witnesses subpoenaed for the hearing would give concrete evidence that Dallas police officer P. T. Dean had committed perjury at the trial.

As the judge denied development of the testimony, Mr. Tonahill rose to his feet, spread his arms, and pleaded:

"For God's sake, do your duty, judge, and hear this testimony."

Mr. Dean testified March 6 as the final prosecution witness that minutes after Oswald was shot Ruby "said something to the effect that he thought about this two nights prior when he had seen Lee Harvey Oswald on

the showup stand" at police headquarters.

Added Mr. Dean: "He said when he noticed the sarcastic sneer on Oswald's face, that's when he first thought that if he got the chance he would kill him and would also show the world that Jews do have guts."

Some jurors said afterwards that testimony by Mr. Dean and other policemen was the key point of the lengthy trial.

Among witnesses Mr. Tonahill said could controvert the policeman's testimony was Ray Hill, an FBI agent.

Ruby could avoid the electric chair by reason of present insanity. Judge Brown said a sanity trial for Ruby may begin within 30 days. If the jury finds him insane, he will be committed to a mental institution.

Ruby walked with a heavy-footed shuffle as guards brought him to and from the courtroom yesterday.

On returning to his jail cell, he whispered to his brother and sisters: "Goodbye, I'm not coming back."

Defense lawyers claim Ruby is insane and that he tried to take his own life Sunday.

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40 MAY 7 1964

The Washington Post and Times Herald _____
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New York Herald Tribune _____
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The Wall Street Journal _____
The National Observer _____
People's World _____
Date _____

58 MAY 7 1964

Ruby Loses Plea for New Trial

DALLAS, April 29 (UPI) — Judge Joe B. Brown refused to grant a new trial today to condemned killer Jack Ruby, rejecting a motion to "set aside this cruel and inhuman verdict" of death.

But Ruby will have a sanity trial.

Gaunt and haggard, a shadow of the roly-poly man who shot accused presidential assassin Lee Harvey Oswald, Ruby was led from court saying over and over to his family, "I won't see you again, I won't see you again."

Defense attorneys immediately filed notice of appeal to the Texas Court of Criminal Appeals in Austin.

Assistant defense attorney Joe Tonahill asked Brown to set a date for a sanity trial, before a jury. Brown must grant the request.

"We'll have to talk about that later," Brown told Tonahill.

If a jury found Ruby insane, he would be committed to Rusk State Hospital for the Criminally Insane at Rusk, Tex.

Although the defense called 30 witnesses, Brown refused to let them take the stand because what they planned to say was not included in the motions for a new trial made by the defense.

Once, the Judge threatened to cite Tonahill for contempt when the burly lawyer pressed for permission to put a justice of the peace on the stand who handled the charges against Oswald in the assassination of President Kennedy. Tonahill stopped talking.

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Jack Ruby
Ruby
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The Washington Post and Times Herald **1-23**
The Washington Daily News _____
The Evening Star _____
New York Herald Tribune _____
New York Journal-American _____
New York Mirror _____
New York Daily News _____
New York Post _____
The New York Times _____
The Worker _____
The New Leader _____
The Wall Street Journal _____
The National Observer _____
People's World _____
Date _____

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46 MAY 6 1964

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56 MAY 7 1964

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Judge Brown Denies New Trial for Ruby

By CARL FREUND

Judge Joe B. Brown refused Wednesday to grant Jack Ruby a new trial.

The ruling climaxed a hearing in which the condemned slayer told a tearful sister, "Goodbye, I'm not coming back."

There was no explanation for the remark.

Reporters speculated whether Ruby was considering suicide or was merely tired of sitting in court.

Defense attorneys said it showed the extent of his "mental deterioration," but prosecutors suggested he was "putting on an act."

Judge Brown said Ruby received a fair trial when a jury ruled he should die in the electric chair for the murder of Lee Harvey Oswald.

While millions watched on television, Ruby fired a single shot into Oswald Nov. 21 as detectives led the manacled Marxist through the City Hall basement.

He had been charged two days earlier with assassinating President Kennedy and murdering

(Indicate page, name of newspaper, city and state.)

1 "The Dallas
Morning News"
Dallas, Texas

Date: 4-30-64
Edition:
Author:
Editor: Jack B. Krueger
Title:

Character:
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Classification:
Submitting Office: Dallas

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NOT RECORDED
16 MAY 18 1964

52 MAY 19 1964

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Patrolman J. D. Tippit here.

Judge Brown's ruling moved Ruby a step nearer the electric chair.

Defense lawyers said they would turn to the Texas Court of Criminal Appeals. A hearing before that court appears unlikely before November, however, since clerks must prepare the record of the trial and the state constitution requires the appeals court to recess during the summer.

Judge Brown announced his decision after a day-long hearing in which Dist. Atty. Henry Wade and his assistants blocked defense lawyers from calling a single witness.

Ruby, who appeared haggard and morose, turned to a sister, Mrs. Eva Grant, as deputies led him from the courtroom during a recess.

"Goodbye, I'm not coming back," the 33-year-old slayer told her.

Asked why Ruby made the statement, defense attorney Joe Tonnahill of Jasper told reporters:

"He is a sick man—a sick, sick man. He's cracking up completely and he's going to get worse unless he's put in a hospital where he can receive proper treatment."

Lawyers noted Ruby's presence was required in court under Texas law and said he would return "even if deputies have to drag him in."

Mrs. Grant wept and moaned. "He's so sick; he's so sick. Why can't they do something?" when the hearing opened.

Ruby butted the wall of his cell during the weekend and an Oklahoma psychiatrist said the slayer has delusions he is responsible for

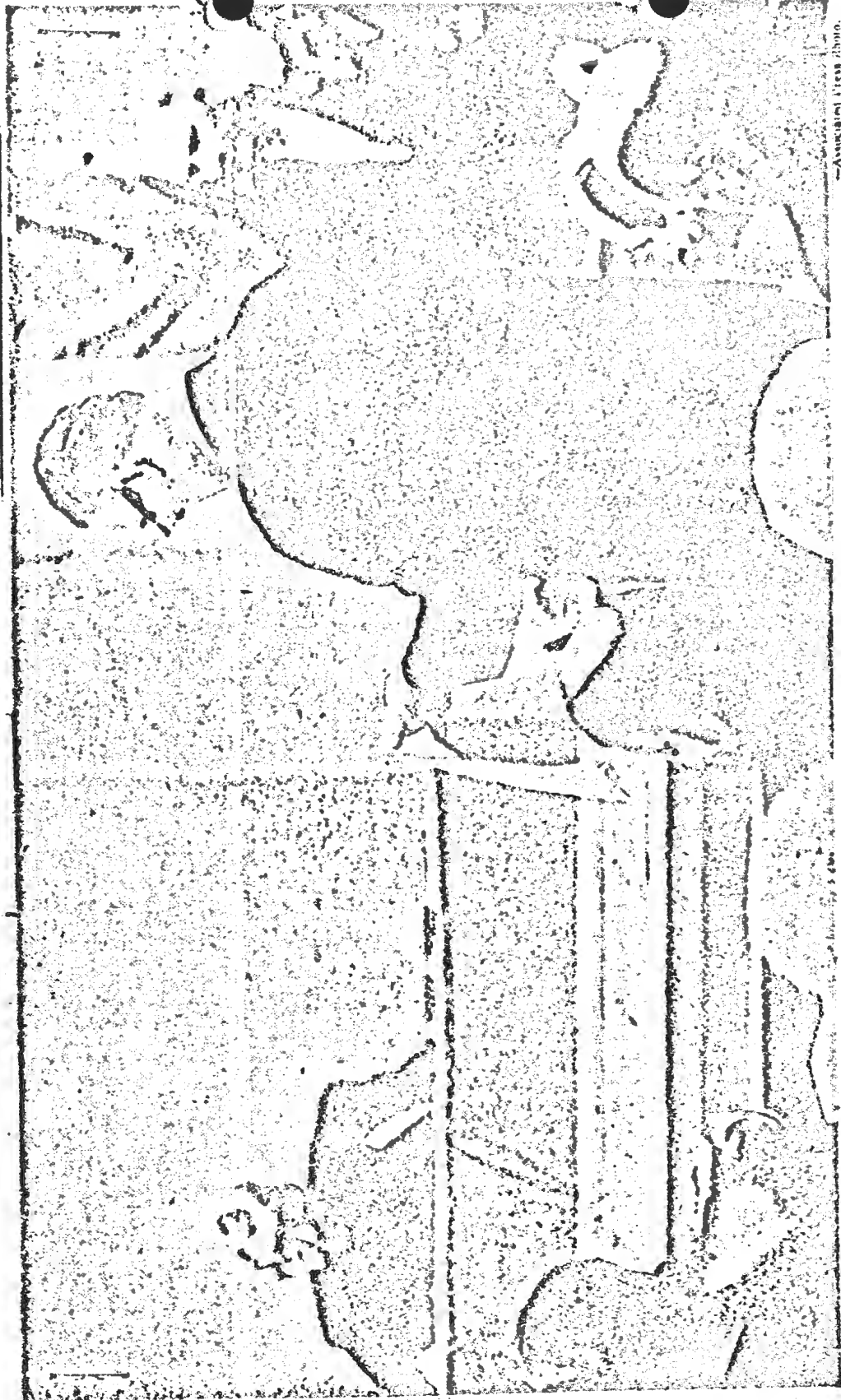
"the slaughter of millions of Jews."

Prosecutors suggested Ruby was "putting on an act" in hopes a jury would rule him insane.

Judge Brown told lawyers Wednesday he will confer with them about a date for a sanity hearing to determine whether Ruby has become insane since his trial.

If the 12-member jury rules Ruby insane, he would go to a state hospital. The verdict would "freeze" his appeal and the courts would act on it only if he regained his sanity.

If the jury rules him sane, the death sentence would be carried out unless higher courts grant him a new trial.



—Associated Press Photo.

Jonahill, standing, with back to camera, reads motion for new trial while Ruby, seated, profile at right and surrounded by guards, listens. Judge Brown, left, on bench, listens to motion.

BUT NEITHER PUT ON STAND

Jurors Say Belli's Charges False

Two jurors in the Jack Ruby murder trial said Wednesday they were ready to swear that Melvin Belli, former chief defense lawyer for the condemned slayer, made false statements about them.

The jurors, Allen McCoy and Mrs. Louise Malone, were subpoenaed as witnesses for a hearing on Ruby's plea for a new trial. Neither was placed on the stand.

Both said they would have testified under oath that Belli accused

them falsely during a tirade after they joined other jurors in voting to send Ruby to the electric chair for the murder of Lee Harvey Oswald.

Mrs. Malone denied specifically that she waved to a nephew, a Dallas police officer, while she sat in the jury box.

McCoy denied specifically that he had expressed an opinion Ruby

was guilty and should receive the death penalty shortly after Oswald was shot.

Dist. Atty. Henry Wade told the two he felt jurors should be "protected from the abuse of the type you received." The district attorney said he would have spoken out in strong language sooner, but questioned whether it would have been proper before Judge Brown ruled on the new trial plea.

Prosecutors noted the present defense staff did not repeat Belli's charges.

1922 Examination Of Ruby Disclosed

Jack Ruby carried a chip on his shoulder as a boy and compensated for his persecution complex by boasting he could "lick anybody."

He also felt that his mother, who yelled at him constantly, was "inferior" and he was not required to obey her as a result.

These were the conclusions of an Illinois doctor who interviewed Ruby in 1922, when the condemned slayer was an 11-year-old boy in a rough-and-tumble neighborhood.

The findings were made public Wednesday by defense lawyers fighting a legal battle to save Ruby from dying in the electric chair for the murder of Lee Harvey Oswald.

Attorneys Joe Tonahill and Phil Burleson said they learned that, as a boy, Ruby was referred to a Chicago child guidance clinic, the Institute for Juvenile Research, for psychiatric studies because of his "truancy and incorrigibility."

The lawyers obtained a copy of a report which the institute submitted to the Warren Commission.

Based on records in dusty files, the report said Ruby was referred to the clinic by the Jewish Social Service Bureau of Chicago.

He listed his name as Jacob Rubenstein — later it would be changed legally to Ruby—but said proudly that his classmates called him "Jack." His mother insisted this nickname was a shortening of the word "jackass."

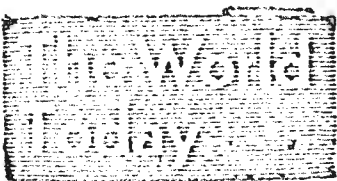
The report said the mother was quick-tempered and spent most of her time yelling at Ruby in a futile attempt to control him. It pictured the father as a hot-tempered alcoholic who had separated from the mother.

Ruby told interviewers he wanted to become a mechanic.

He spent much of his time with street gangs, showed an intense interest in sex, and usually went to amusement parks when he stayed away from school.

A doctor used the word "egocentric" to describe Ruby after examining the boy.

Officials of the institute told the Warren Commission, however, that they could not determine the sense in which the physician used this word, and records in its files would neither support nor reject the theory that he suffered from "mild impairment" of the central nervous system while a boy. They noted "brain wave" tests were not used at the time.



Oddities

THE National Academy of Sciences meeting here was told that the earth may be hit any day by one of the Apollo family of asteroids (minor planets) whose erratic orbits may carry one of them into our neighborhood and send it crashing into Terra's surface with the force of a large H-bomb. (This could come tomorrow or a million years hence.)

The body of Mrs. Margaret Ivusic, missing since an October snowstorm, was found encased in ice on mile-high Mt. Katahdin, Me. Still lost is a ranger who disappeared searching for Mrs. Ivusic.

A study by the American American Council on Education shows that for every college scholarship awarded to youth from a family with an income below \$3000, more than four scholarships are awarded to students with families earning above \$11,000.

Jack Ruby, killer of Lee Harvey Oswald, was denied a new trial in Dallas but defense attorneys are pressing for a sanity hearing, which could save him from the chair.

Eds

Colonel-General

COL. STIG WENNER-STROEM, on trial in Stockholm for espionage, was secretly made a Soviet major general while serving as Swedish air attache in Washington.

Foreign diplomats are trying to arrange a meeting between pro-Red Prince Souphanouvong and neutralist Premier Souvanna Phouma to discuss the current Laotian crisis created by a ringwing coup April 19.

Children

Sudden Death

OBLESS and despondent after a quarrel with his wife, Brooklyn machinist Ronald Faberman, shot and killed his daughter, Gayle, 7, who underwent successful open heart surgery last year and earlier this month had been guest of a fund-raising organization.

A New Jersey legislative committee investigating the mistreatment of Cheryl Ann Tablor, 6, found with a dog collar around her neck, will question Mr. and Mrs. Charles Stibitz, of Trenton, the child's stepfather and mother.

Chicago police and FBI agents seeking infant Paul Joseph Fronczak kidnaped from a hospital, quizzed and released a former hospital employee accused of kidnaping a child two years ago; authorities believe Paul Joseph was seized by a woman who had recently lost a baby and are optimistic about finding the missing infant alive.

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New York Journal-American _____
New York Mirror _____
New York Daily News _____
New York Post _____
The New York Times _____
The Work _____
The New Yorker _____
The Wall Street Journal _____
The Nation Observer _____
People's _____
Date _____

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46 MAY 7 1964

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Mr. Tolson
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Mr. Rosen
Mr. Sullivan
Mr. Tavel
Mr. Trotter
Tele. Room
Miss Holmes
Miss Gandy

NEW TRIAL BID

Judge Rules Out Ruby Witnesses

Judge Joe B. Brown refused to allow the defense's first five witnesses to testify at a hearing for a new trial for Jack Ruby began Wednesday.

The witnesses who were not permitted to testify were Rabbi Hillel Silverman, FBI agent Ray Hall, Dallas policeman Patrick Dean, KRLD newsman Wes Wise and Dallas Morning News reporter Hugh Aynesworth.

The judge's refusal came amid heated clashes between an assistant district attorney, A. D. (Jim) Bowie, and defense attorney Joe Tonahill.

During the exchange, the defense attorney and prosecutor accused each other of not having any "guts."

The argument also resulted in Tonahill roaring at Judge Brown: "Your honor has a tremendous burden in this case, and for God's sake do your duty!"

Judge Brown did not reply. The hearing to determine if Ruby should be granted a new trial resumed shortly before noon Wednesday when the defense sought to put witnesses on the stand to support its claim that the court had erred repeatedly during the trial.

After a two-hour recess the state failed to answer to the defendant's

(Indicate page, name of newspaper, city and state.)

1 "The Dallas
Times-Herald"
Dallas, Texas

Date: 4-29-64
Edition:
Author:
Editor: Felix R. McKnight
Title:

Character:

or

Classification:

Submitting Office:

Dallas

☐ Being Investigated

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43 MAY 20 1964

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52 MAY 13 1964

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allegation of error in a second amended motion for a new trial.

Prosecution attorneys asked Judge Brown to deny the defense permission to bring up additional charges of court error by filing the second amended motion.

The prosecution claims in its answer to the defense motion that certain matters described as errors by the defense — including suppression of sanity evidence — do not constitute errors.

UNDER ADVISEMENT

The judge took the state's answer under advisement before swearing in witnesses called by the defense.

The hearing began at 9:15 a.m. in an emotionally charged atmosphere. Minutes before Judge Brown took the bench, the condemned slayer's sister, Mrs. Eva Grant, who had been visiting him in the adjacent jury room, rushed out into the courtroom loudly sobbing: "He's so sick, he's so sick. Why can't they do something?"

Mrs. Grant was taken to her seat in the courtroom by deputies, who calmed her with the help of members of her family.

Judge Brown recessed the hearing until later in the morning to give the state's attorneys time to answer the defendant's second amended motion for new trial.

LATEST MOTION

In the defense's latest motion for a new trial Ruby's lawyers allege that the suppressed evidence that Jack Ruby had been

treated for a mental condition as a child when he was in Chicago. The state's answer claims the defense had this information before the trial.

The motion also alleges the nightclub operator's trial was made "a public pageant and spectacle calculated to entertain the public" by the press.

The latest defense motion incorporated earlier points it claimed were grounds for a new trial and added a few others.

A high point in the new trial plea was the charge that Judge Brown erred in not rigidly controlling the press covering the sensational murder trial at which Ruby was sentenced to the electric chair for slaying Lee Harvey Oswald.

The defense charged the "presence of the press, their activities and sensational news releases not only destroyed the atmosphere of dignity and decorum which should surround a trial if an accused is to have the vital issues of his case heard and determined free of passion and prejudice, but (these) activities of the mass communications media

permeated and affected the courtroom itself."

The motion charged this resulted in "loss of the essential elements of a fair trial and debasement of the sanctity of the judicial process."

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 Holmes ☐
 Gandy ☐

UPI-65

(RUBY)

DALLAS.--A SISTER OF CONDEMNED KILLER JACK RUBY RUSHED ACROSS A COURTROOM SOBBING, "HE'S SO SICK, WHY CAN'T THEY DO SOMETHING?" AT THE START OF A HEARING TODAY FOR A NEW TRIAL.

PALE AND WITH HIS HEAD BOWED, THE 53-YEAR-OLD SLAYER OF ACCUSED ASSASSIN LEE HARVEY OSWALD WAS LED INTO TRIAL JUDGE JOE B. BROWN'S COURT AFTER HIS SISTER HAD TAKEN HER SEAT.

BROWN CONVENED THE HEARING AND THEN RECESSED IT FOR 90 MINUTES (UNTIL 11 A.M. CST; 1 P.M. EDT) TO GIVE DIST. ATTY. HENRY WADE TIME TO REPLY TO DEFENSE MOTIONS FILED YESTERDAY. THE MOTION CHARGED WADE SUPPRESSED EVIDENCE AT THE RUBY MURDER TRIAL.

BROWN WENT AHEAD WITH THE NEW TRIAL HEARING ALTHOUGH RUBY'S ATTORNEYS HAVE ASKED FOR A SANITY TRIAL BY JURY.

MRS. EVA GRANT OF DALLAS, RUBY'S SISTER, AND ANOTHER SISTER, MRS. AILEEN KAMINSKY OF CHICAGO WERE PERMITTED TO VISIT RUBY IN THE JURY ROOM BEFORE THE HEARING STARTED. MRS. GRANT LEFT THE ROOM AND RUSHED ACROSS THE COURTROOM TO HER SEAT, MOANING:

"HE'S SO SICK. HE'S SO SICK. WHY CAN'T THEY DO SOMETHING?"

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46 MAY 6 1964

79 MAY 11 1964

WASHINGTON CAPITAL NEWS SERVICE

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Psychiatrist Hired By Ruby's Family

Jack Ruby's family hired a Dallas psychiatrist Tuesday to "treat" the condemned slayer. Ruby, who butted his head

against the wall of his cell during the weekend, is scheduled to return to Criminal District Court

No. 3 at 9 a.m. Wednesday for a hearing on his plea for a new trial.

Other psychiatrists had interviewed Ruby previously at the request of his family, but defense lawyers said these doctors were concerned primarily with diagnosing his condition so they could testify in court.

They said Dr. Beavers would prescribe "a course of treatment" in an attempt to "prevent further deterioration" of Ruby's mental condition.

Prosecutors scoffed, meanwhile, at the defense claim that Ruby is "completely cracking up" as he sits in the shadow of the electric chair.

Dist. Atty. Henry Wade suggested that the defense request for a sanity hearing was merely a delaying tactic.

"We asked them (Ruby's lawyers) if Ruby can be examined by a state psychiatrist," Wade said. "They refused. This strengthens our belief it is a delaying tactic."

Mrs. Eva Grant, Ruby's sister, filed an affidavit Monday stating that he has become insane since a jury ruled he should die for the murder of Lee Harvey Oswald, the Marxist suspected of assassinating President Kennedy here.

As a result, Judge Joe B. Brown scheduled a sanity hearing before a 12-member jury, which could send Ruby to a state mental hospital. Judge Brown did not set a date for the hearing immediately, and there was specula-

tion it will not be held for at least two weeks.

Ruby, who butted his head against the wall of his cell during the weekend, is scheduled to return to Criminal District Court No. 3 at 9 a.m. Wednesday for a hearing on his plea for a new trial.

First Assistant Dist. Atty. A. D. Jim Bowie said prosecutors would ask Judge Brown to stop defense lawyers from using the hearing for a "fishing expedition."

"We feel the judge should require them to make specific allegations why they think Ruby should get a new trial," Bowie said. "Then he should limit testimony to these allegations. The judge should not allow them to put witnesses on the stand and examine them at length in an attempt to stumble upon something which might help them."

The defense has subpoenaed 30 witnesses, including two members of the jury which convicted Ruby.

Joe Tonahill, one of Ruby's attorneys, charged in papers filed with Judge Brown that the prosecution suppressed information about a psychiatric examination Ruby received as a child.

The lawyer said the district attorney's office and the FBI knew Ruby was examined as a boy at the Illinois Institute for Juvenile Research, but did not tell defense attorneys about this examination.

Contending that Judge Brown was too lax with reporters and photographers, Tonahill said, "The trial was converted into a public pageant and spectacle calculated to entertain the public."

Mr. Tolson _____
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Miss Gandy _____

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"The Dallas
Morning News"
Dallas, Texas

NOT RECORDED
46 MAY 20 1964

Date: 4-29-64
Edition:
Author:
Editor: Jack B. Krueger
Title:

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Classification:
Submitting Office: Dallas

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Mr. Tolson	_____
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'DELUSIONS' CLAIMED**Ruby to Receive
Hearing on Sanity**

By CARL FREUND

Jack Ruby's mind snapped after a jury sentenced him to the electric chair and he now has delusions that he is responsible for "the slaughter of millions of Jews throughout America," his lawyers said Monday.

They asked Judge Joe B. Brown to schedule a sanity hearing for the 33-year-old slayer.

his murder trial last month?

If the answer is "Yes," Ruby will go to a state hospital for the criminally insane.

The verdict would "freeze" his appeal from his murder conviction.

The courts would take no action on it while he was in the hospital. But, if he should re-

JUDGE BROWN said he will set a date later for the hearing. Ruby's lawyers suggested it begin next week, but Judge Brown said he believed prosecutors would need more time to prepare for it.

"We will definitely contest the insanity plea," First Assistant Dist. Atty. A. D. Jim Bowie said.

Prosecutors will contend the plea is merely another maneuver by defense lawyers fighting to save Ruby's life.

Attorneys will choose 12 jurors for the sanity hearing.

THE JURORS will hear testimony, then answer one question:

Has Ruby become insane since

(Indicate page, name of newspaper, city and state.)

Ruby
1 "The Dallas
Morning News"
Dallas, Texas

Date: 4-28-64
Edition:
Author:
Editor: Jack B. Krueger
Title:

Character:
or
Classification:
Submitting Office: Dallas
☐ Being Investigated

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46 MAY 18 1964

59 MAY 19 1964

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tain his sanity, the courts would start reviewing his case again. And, if they upheld his conviction, he would die in the electric chair.

If the jury rules Ruby is sane now, he will stay in the county jail while the courts consider his appeal.

Another jury rejected a temporary insanity plea when it convicted Ruby of the Nov. 24 murder of Lee Harvey Oswald, a Communist sympathizer accused of assassinating President Kennedy here two days earlier.

RUBY'S LAWYERS—Dr. Hubert Winston Smith of Austin, Joe Tonahill of Jasper and Phil

Bederson of Dallas—tried unsuccessfully Monday to get Judge Brown to send Ruby to a hospital immediately for tests involving hypnosis and "truth serum" drugs.

They said the tests would "shed new light" on Ruby's mental condition when he pulled the trigger of his Colt Cobra and sent a bullet into Oswald while millions watched on television.

Judge Brown said he lacked the power under Texas law to order the tests "or even consent to them."

Defense lawyers said the tests would allow Dr. Louis Jolyon West, chairman of the department of neurology and psychiatry at the University of Oklahoma medical school, to "discover and bring forward evidence that has not yet been uncovered."

IN ADMINISTERING the tests, Dr. West said, he would have Ruby "relive" the slaying of Oswald while under the influence of drugs.

Judge Brown said he agreed with Dist. Atty. Henry Wade that the defense should have requested the tests before Ruby's trial.

"If we followed your theory, a case would never come to an end," Judge Brown told Ruby's attorneys.

Mrs. Eva Grant, Ruby's sister, signed the insanity plea and attached a report from Dr. West to it.

THE BIG, boyish-looking psychiatrist said he examined Ruby Sunday and again Monday in his county jail cell and concluded the slayer was "clearly paranoid."

Dr. West said he concluded also that Ruby has suicidal tendencies and may kill himself unless watched carefully.

Ruby Shows Strain In His Mannerisms

Jack Ruby showed the strain Monday of sitting in the shadow of the electric chair. His rabbi, Dr. Hillel Silverman, who sat at the front of the courtroom, tried to soothe him.

The 53-year-old condemned slayer appeared extremely agitated as deputies hustled him into Criminal District Court No. 3 for a hearing on a defense request that Judge Joe B. Brown send him to a hospital. Although Dr. West said Ruby told him of his delusions, Sheriff Bill Decker said he knew nothing about them. "We haven't seen any evidence of delusions," the sheriff said.

Looking straight ahead, Ruby blinked his eyes repeatedly. He did not speak to reporters or give any indication he recognized those who had covered his trial.

Dr. Louis Jolyon West of the University of Oklahoma medical school took the stand. He said Ruby, who rammed his head into the wall of his county jail cell during the weekend, has delusions that he is personally responsible for the "slaughter of millions of Jews."

Ruby rubbed a hand, pale from his months in jail, over his gaunt face. Then he placed one finger in his mouth and sat silently beside his attorneys.

Then, twisting in his chair, he said something to Joe Tonahill, a defense lawyer.

Dr. West said that, as part of his delusion, Ruby thought he could hear a brother scream as a mob tortured him outside the jail.

This testimony appeared to make Ruby even more upset.

His face contorted and he appeared on the verge of tears.

Then the slayer began gnawing at his nails.

District Attorney Says He Saw 'Revill Memo'

Dist. Atty. Henry Wade said Ruby, who shot Oswald to death Monday he saw the controversial Nov. 24, subpoenaed Lt. Revill for "Revill memo" on Nov. 22.

This is the 5-paragraph memo in which Police Lt. Jack Revill quoted FBI agent James (Joe) Hosty as saying the FBI knew Lee Harvey Oswald "was capable" of assassinating President Kennedy.

Lt. Revill, who heads the police criminal intelligence unit, prepared the memo within hours after a sniper shot President Kennedy as his Dallas motorcade neared the Triple Underpass.

The Dallas News reported Friday that a copy of the memo has been given the Warren Commission, which is investigating the assassination.

Asked if he had seen the memo, Wade replied:

"Yes, I have. I saw it the day of the assassination."

The district attorney said, however, that he does not have a copy of the memo and cannot recall its specific wording.

Wade's statement came 30 minutes after attorneys for Jack

B. Brown is scheduled to rule on a defense plea that he set aside Ruby's death penalty and grant the 33-year-old slayer a new trial.

The lawyers also subpoenaed Police Chief Jesse Curry and other supervisory officers, who were instructed to bring reports which involve Ruby and Oswald.

The hearing is expected, however, to produce little, if any, testimony about the memo. Prosecutors could contend it has no bearing on the question of whether Ruby should get a new trial.

The defense subpoenaed 30 witnesses. They include 26 Dallas police officers; FBI agent Roy Hall, who was instructed to bring a copy of an interview with Ruby Nov. 24; Forrest Sorrells, Secret Service agent in charge of the Dallas office; Allen McCoy and Mrs. Louise Malone, who were on the jury which convicted Ruby; Sheriff Bill Decker; Dist Atty. Henry Wade, and Rabbi Hillel Silverman.

Lt. Revill said Hosty made his remark about Oswald about 2:05 p.m. Nov. 22. Although a spokesman for the FBI office here declined comment, J. Edgar Hoover reportedly denied in Washington that Hosty made the statement.

Investigators found Hosty's name and a license number in Oswald's notebook. The name and number were apparently jotted down when Hosty went to an Irving home, where Oswald's family lived, to talk to the Communist sympathizer three weeks before the assassination.

Oswald was away at the time.

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Miss Holmes _____
Miss Gandy _____

Ruby Granted Sanity Trial; Date Pending

Action Muddles
Review Motion
Due Wednesday

By JERRY RICHMOND
Staff Writer

Dist. Atty. Henry Wade charged Tuesday the sanity trial requested by Jack Ruby's defense lawyers is a delaying tactic in the drawn-out aftermath of Ruby's conviction for the murder of Lee Harvey Oswald.

"We have asked them if Ruby can be examined by a state psychiatrist and they refused," said the district attorney. "This strengthens our belief it is a delaying tactic."

The possibility loomed Tuesday that the sanity trial motion would force postponement of Ruby's new trial hearing which is set for Wednesday.

Judge Joe B. Brown Tuesday was researching the law to determine if the defense's filing for the sanity trial Monday automatically postponed the new trial hearing—or if the new trial hearing could be legally held at the request of the defense.

He said defense lawyers apparently wanted to go on with the new trial hearing as scheduled.

Judge Brown was to meet with prosecution and defense lawyers Tuesday to discuss a date to begin jury selection to hear a defense plea that Ruby is insane.

Should the jury decide the slayer of Oswald is insane, he would be hospitalized in a mental institution until doctors said he was cured.

The entire Ruby case — including the chain of appeals — would be halted until another jury trial ruled him sane and fit to participate in his defense.

But prosecutors said they would fight the defense's insanity plea and contended two alleged suicide

Jack Lee Ruby

File
G/M

(Indicate page, name of newspaper, city and state.)

"The Dallas
Times-Herald"
Dallas, Texas

Date: 4-28-64
Edition:
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Editor: Felix R. McKnight
Title:

Character:
or
Classification:
Submitting Office: Dallas
☐ Being Investigated

NO. RECORDED
46 MAY 18 1964

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attempts by Ruby Sunday were a sham.

Although the court was required to allow the sanity trial, Judge Brown ruled against another defense motion Monday which would have allowed transfer of Ruby to a hospital for mental testing—including administration of truth serum and hypnosis.

In the day of intense defense activity, Ruby's lawyers subpoenaed 30 witnesses — including two members of the jury which found Ruby guilty and assessed the death sentence — to appear Wednesday.

Most of the witnesses were police officers, many who had appeared as state's witnesses in the murder trial.

The two jurors subpoenaed were Allen W. McCoy of Irving and Mrs. Louise Malone of Dallas.

In a recent hearing, the latest chief defense lawyer for Ruby—Dr. Hubert Winston Smith—told the court new evidence was now available which he alleged proved a key witness in the murder trial perjured himself.

MOTION OFFERED

The sanity trial was called for minutes before Ruby was whisked into the courtroom Monday. His sister, Eva Grant, and defense psychiatrist Dr. Louis Jolyon West of the University of Oklahoma submitted a motion and an affidavit stating Ruby was now insane.

The psychiatrist's affidavit, a lengthy report of his examination of Ruby, said the convicted killer was, "technically insane now."

He said Ruby suffered hallucinations which were characteristic of acute psychosis of the paranoid type.

Dr. West interviewed Ruby Sunday shortly after he was returned from a hospital where he was examined for any injury he might have sustained in banging his head against a cell wall.

The psychiatrist said Ruby's hallucinations included a belief that 25 million Jews had been murdered in a "terrible pogrom" which was in retaliation against what he had done.

Dr. West testified that Ruby claimed he saw his own brother tortured, mutilated and burned in the street outside his jail cell.

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Miss Holmes	_____
Miss Gandy	_____

SUICIDE ATTEMPTS? Mental Test Plea For Ruby Vetoed



JACK RUBY
Suicide Attempts?

Hearing on Sanity Sought by Sister

By JERRY RICHMOND, Staff Writer

Dist. Judge Joe Brown turned down Monday a defense request to have Jack Ruby moved to a hospital for further mental tests as the condemned man's sister, claiming he is insane, filed a request for a jury hearing on his mental state.

The ruling came after only 30 minutes of testimony on the hospital transfer request, heard in the wake of two apparent suicide attempts by Ruby in his cell Sunday.

Judge Brown interrupted a report by Dr. Louis Jolyon West of Oklahoma City on his examination of Ruby in his cell to overrule the defense motion.

"Gentlemen, I know of no law in Texas authorizing me to have a prisoner transferred to any hospital, except for treatment of an immediate injury," the judge told attorneys for both Ruby and the state.

"There is no theory under which this court can

(Indicate page, name of newspaper, city and state.)

"The Dallas
Times-Herald"
Dallas, Texas

Date: 4-27-64
Edition:
Author:
Editor: Felix R. McKnight
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Character:
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Classification:
Submitting Office: Dallas
☐ Being Investigated

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even request, let alone order, the action requested in this motion. Therefore, I overrule your motion," he concluded.

Dr. West was allowed to continue his report, however, when Asst. Dist. Atty. A. D. (Jim) Bowie said the state wanted an opportunity to cross-examine and defense attorneys requested a chance to perfect formal exceptions to Judge Brown's ruling.

Dr. West, chairman of the University of Oklahoma department of neurology and psychiatry, filed an eight-page report on his examination of Ruby as the hearing began.

DESCRIBES REACTIONS

The report, which said Ruby was having acute psychotic reactions with delusions and hallucinations, is also the basis for the sanity hearing request filed on behalf of Eva Grant, Ruby's sister.

The motion for the sanity hearing states that since his conviction March 14 for the slaying of accused assassin Lee Harvey Oswald, "Jack Ruby has positively become and now is insane."

Dr. West's report was attached to the request as an affidavit.

Ruby, who rammed his head into a cell wall early Sunday, appeared in court under tight security precautions. Observers noted a slight bruise on his forehead, apparently from his head-long plunge at his cell wall.

Dr. West's report, which he read into the record Monday, said that Ruby ran into the wall in hopes of "ending it all" because the former nightclub operator believed "there was a terrible and gigantic pogrom" in the country with 25 million innocent people being massacred because of what he had done.

The report stated that Ruby claimed he had seen his own brother tortured, mutilated and

burned in the street outside the jail and could still hear the screams.

"Last night the patient became convinced that all the Jews in America were being slaughtered," the report continued. "This was in retaliation against him (Ruby), the Jew responsible for 'all the trouble.'"

The report stated that Ruby also told Dr. West that the orders for the "pogrom" came from Washington because "it was being carried out by police without federal troops being called out."

The Oklahoma City doctor said that attempts to persuade Ruby his beliefs were incorrect or the symptoms of mental illness aroused Ruby's anger. "Once or twice the patient seemed about to attack me," the doctor said. The report stated that Ruby could not understand how Dr. West did not know about the pogrom.

DOUBTS FAKING

Dr. West said he considered whether Ruby could be malingering or faking mental illness. His report said he discarded the possibility because, without study, Ruby would not be able to put on so convincing an act. In addition, Dr. West's report said, the former nightclub operator has repeatedly said he does not want to go to a mental hospital but wants to stay in the county jail "where they know me."

In his diagnosis, Dr. West said Ruby showed an acute psychotic reaction, paranoid state, manifested by delusions, visual and auditory hallucinations, suspiciousness, agitation, unshakeable fixed preoccupations, depression, suicidal impulses and impairment of reasoning.

The report recommends "immediate psychiatric hospitalization, study and treatment; close observation and suicidal precau-

tions," and predicts the prognosis is "fair, if proper treatment is promptly instituted."

Before filing the motion for a sanity hearing, defense attorneys filed applications for 30 subpoenas for witnesses—including two of the murder trial jurors—for a new trial hearing scheduled for Wednesday.

Shortly after 1 a.m. Sunday, Ruby hurled himself head first against a plaster wall in his Dallas County jail cell, suffering a 2-inch long gash on the top of his head and a painful knot.

A medical intern on night duty at the jail applied first aid to the condemned man.

A short time later, Sheriff Bill Decker reported, jailers caught Ruby attempting to tear a strip of cloth from his white jail uniform in what may have been an effort to make a makeshift noose.

ASKED FOR WATER

Jailer S. J. Bowlin said the head-butting incident occurred when Ruby asked him for a cup of ice water. Mr. Bowlin said he had been playing cards with the former nightclub operator who had complained about not being able to sleep.

As the jailer turned to get the water at a nearby fountain, Ruby stood up and hurled himself head down into a wall.

The blow appeared to stun Ruby, but did not knock him out, the jailer reported.

Ruby was taken to a local hospital under heavy security guard later Sunday morning after he was caught tearing his uniform.

Sheriff Decker said he ordered X-rays taken of Ruby's head to make sure the prisoner suffered no serious injuries when he rammed into the wall. The X-rays verified county medical authority opinions that Ruby had not seriously injured himself, the sheriff said.

After Ruby's return to his cell from the hospital, a stream of visitors, including the new psychiatrist called in by defense attorneys, appeared at the county jail to see Ruby.

Dr. West spent about an hour with Ruby but declined comment on the condemned man's condition until he filed a written report with what the Oklahoma City expert termed "proper authorities."

Ruby's sister, Mrs. Grant, arrived at the jail about 6:30 p.m. and after a 30-minute visit commented tearfully to reporters: "He's sick. He's sick."

Defense attorney Joe Tonahill of Jasper, who arrived in Dallas Sunday in preparation for Monday morning's hearing, also visited Ruby for more than an hour.

"VERY NERVOUS"

"He a very nervous man. He's undergoing an entirely different life than he's ever known. His illness may be manifesting itself in this way," the attorney said following his visit in Ruby's cell.

Mr. Tonahill said Dr. Manfred Gutmacher of Baltimore, one of the psychiatrists who testified for the defense during Ruby's murder trial, had predicted from the witness stand that the condemned man may be suicidal.

Dallas attorney Phil Burleson also paid a visit to Ruby's cell Sunday evening. On leaving, he said Ruby appeared to be in a good frame of mind again. The lawyer declined comment on the apparent suicide attempt, however, saying he would leave that to the doctors.

Mr. Tonahill asked the court to subpoena the following persons for the new trial hearing:

Asst. Dist. Atty. A. D. Jim Bowie; Sheriff Bill Decker; Dist. Atty. Henry Wade, Police Chief Jesse Curry, Police Sgt. Pat D. Dean, Officer D. R. Archer, Officer T. D. McMillan, Capt. G. D. King, Officer J. R. Leavell, Lt. Jack Powell, Asst. Chief Charles Batchelor.

Also Deputy Chief George L. Lumpkin, Deputy Chief M. W. Stevenson, FBI Agent Roy Hall, Secret Service Agent Forrest Correll, Morning News reporter Hugh Aynesworth, Allen W. McCoy of Irving, who was a juror in Ruby's trial, Capt. Pat Gannaway, Capt. C. E. Talbert, Capt. Will Fritz.

Also, a Mr. Fleming, vice president of an armored motor car service; Police officers, Lt. Pierce, Sgt. Putnam, Sgt. Maxey, Lt. W. Wiggins, Capt. O. A. Jones, Patrolman Jez, Patrolman Patterson; Rabbi Hillel Silverman; Mrs. Louise Malone, one of the murder trial jurors.

JACK L. RUBY, AKA
LEE HARVEY OSWALD, AKA - VICTIM
CIVIL RIGHTS

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WASHINGTON CAPITAL NEWS SERVICE

79 APR 30 1964

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UPI-38

(RUBY)

Jack Ruby

DALLAS--CONDEMNED KILLER JACK RUBY SMASHED HIS HEAD INTO THE WALL OF HIS COUNTY JAIL CELL TODAY, APPARENTLY IN AN ATTEMPT TO COMMIT SUICIDE.

RUBY, SENTENCED TO DEATH FOR THE MURDER OF ACCUSED PRESIDENTIAL ASSASSIN LEE HARVEY OSWALD, WAS RUSHED TO A HOSPITAL FOR X-RAYS AND TREATMENT. SHERIFF BILL DECKER SAID HE WAS NOT SERIOUSLY HURT.

HE SAID THE CUT BLED SLIGHTLY.

DECKER SAID IT WAS APPARENTLY A SUICIDE ATTEMPT.

THE SHERIFF SAID RUBY WAS TALKING TO A JAILER "SOMETIME AFTER MIDNIGHT." HE SAID THAT WHEN THE JAILER TURNED AWAY TO GET A DRINK, RUBY RAN HEAD FIRST 10 FEET ACROSS HIS CELL AND INTO THE WALL.

HE SAID X-RAYS SHOWED NO INTERNAL DAMAGE.

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UPI-58

ADD RUBY, DALLAS

AN INTERN TREATED THE SLAYER OF ACCUSED PRESIDENTIAL ASSASSIN LEE HARVEY OSWALD FOR THE BUMP AND A SMALL CUT. THE 53-YEAR-OLD RUBY LATER WAS TAKEN TO PARKLAND HOSPITAL, THE SAME HOSPITAL WHERE PRESIDENT KENNEDY AND OSWALD WERE PRONOUNCED DEAD, FOR X-RAYS.

THEN HE WAS RETURNED TO HIS MAXIMUM SECURITY CELL IN THE COUNTY JAIL. THE X-RAYS SHOWED NO TRACE OF INTERNAL DAMAGE TO HIS HEAD.

SHERIFF BILL DECKER SAID THE SELF-APPOINTED EXECUTIONER WAS QUIET TONIGHT IN HIS SIXTH-FLOOR CELL, UNDER CONSTANT GUARD.

THERE WAS NO IMMEDIATE COMMENT FROM MEMBERS OF HIS FAMILY OR FROM THE BATTERY OF ATTORNEYS STILL SEEKING TO PROVE THAT THE ONETIME CHICAGO STREET BRAWLER WAS INSANE WHEN HE SHOT OSWALD LAST NOV. 24 BEFORE A NATIONWIDE TELEVISION AUDIENCE.

MEMBERS OF HIS FAMILY HAD SAID HE WAS "GOING DOWNHILL" IN RECENT DAYS. RUBY, SINCE HIS CONVICTION MARCH 14, HAS BEEN REQUESTING PERMISSION TO APPEAR BEFORE THE WARREN COMMISSION INVESTIGATING THE ASSASSINATION.

ACCORDING TO RUBY'S DEFENSE AT HIS TRIAL, HE SUFFERED FROM PSYCHOMOTOR EPILEPSY, A RARE FORM OF THE AILMENT CHARACTERIZED BY "BLACKOUTS." THIS WAS DENIED BY PROSECUTION PSYCHIATRISTS.

DECKER SAID RUBY BACKED OFF TWO OR THREE FEET IN HIS 10-FOOT CELL AND RAN INTO THE WALL. HE GOT A ONE-INCH GASH ON HIS BALDING HEAD.

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UPI-62

ADD RUBY, DALLAS

DECKER SAID HE THOUGHT THE INCIDENT WAS DONE DELIBERATELY.

"HE KNEW HIS DOCTOR WAS COMING AND HE KNEW HIS HEARING (ON A MOTION FOR NEW TRIAL) WAS COMING UP ON WEDNESDAY," DECKER SAID.

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UPI-36B

(RUBY)

DALLAS--THE DISTRICT ATTORNEY'S OFFICE SAID YESTERDAY THAT JACK RUBY, CONDEMNED KILLER OF ACCUSED PRESIDENTIAL ASSASSIN LEE HARVEY OSWALD, DOESN'T NEED ANY MORE MEDICAL TESTS.

IT WAS ONE OF 10 REASONS GIVEN BY THE AUTHORITIES IN ANSWER TO A REQUEST BY RUBY'S ATTORNEYS THAT HE BE TAKEN OUT OF JAIL FOR A WHILE SO HE COULD HAVE MORE TESTS -- INCLUDING SOME UNDER HYPNOSIS AND TRUTH SERUM (SODIUM PENTATHOL).

THE PROSECUTION ANSWERS WERE FILED WITH JUDGE JOE B. BROWN, WHO PRESIDED OVER RUBY'S TRIAL AND RECEIVED THE REQUEST FOR MORE TESTS FROM RUBY'S DEFENSE LAWYERS WEDNESDAY.

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WASHINGTON CAPITAL NEWS SERVICE

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Mr. Belmont	_____
Mr. Mohr	_____
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Mr. Conrad	_____
Mr. DeLoach	_____
Mr. Evans	_____
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New Lawyer May Aid in Ruby Motion

A noted Chicago criminal attorney is scheduled to join the team of lawyers seeking a new trial for convicted slayer Jack Ruby, defense attorney Phil Burleson said Friday.

Charles Bellows, who defended officers in 1961 police scandals in Chicago, visited with Ruby in his county jail cell late Thursday. Ruby was convicted of killing accused presidential assassin Lee Harvey Oswald last Nov. 24.

Bellows reportedly was preparing a letter to be filed with Criminal District Court Judge Joe B. Brown asking permission to join other attorneys on Ruby's defense team.

Burleson confirmed the report that Bellows would act as a legal adviser for the scheduled hearing on a motion for a new trial for Ruby.

Judge Brown has set April 29 as a date for the hearing.

(Indicate page, name of newspaper, city and state.)

8 "The Dallas
Morning News"
Dallas, Texas

Date: 4-18-64
Edition:
Author:
Editor: Jack B. Krueger
Title:

Character:
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Classification:
Submitting Office: Dallas

72 MAY 18 1964

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Mr. Tolson	_____
Mr. Belmont	_____
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Mr. Holmes	_____
Miss Gandy	_____

Ruby's Team Says State Witness Lied

By LEWIS HARRIS

Defense attorneys said in court Monday that they are "developing facts" which will prove that a state witness lied under oath in the Jack Ruby murder trial.

Attorney Phil Burleson said this and other "new evidence" will be presented at the hearing on Ruby's motion for a new trial.

Dist. Judge Joe Brown set the new trial hearing for April 29 at 9 a.m. He turned down a defense motion Monday for more time to file amended proceedings for the hearing.

Ruby sat impassively through Monday's hearing, his first courtroom appearance since he was condemned to death March 14 for the slaying of accused presidential assassin Lee Harvey Oswald.

Defense attorneys also were trying out a "new look" in their public relations. They had little to say to news media men, and new chief counsel Dr. Hubert Winston Smith emphasized that "we are attempting to get away

from trying this case in the newspapers.

Dr. Smith, a law professor on leave without pay from the University of Texas, noted in court "that we are not here to attack

your honor, the prosecution or anyone else. We plan to proceed in a manner designed to restore some dignity and confidence to our process."

He apparently was referring to bitter blasts at the court and Dallas in general by former chief defense counsel Melvin Belli, since fired.

However, when Dr. Smith moved into comment on his specialized field of legal medicine—he ran into a flurry of taunts from the prosecution.

Dr. Smith said he was "thoroughly shocked" by what was not done in the field of scientific evidence for Ruby during his trial.

Assistant Dist. Atty. A. D. Jim Bowie was on his feet with objections, asserting that Dr. Smith was casting himself in the role "of a thirteenth juror."

Bowie said that the defense had presented testimony of its own self-styled "outstanding medical experts," and that all this had already been settled by the jury with its verdict.

Dr. Smith rejoined that he would be prepared in future proceedings to present "evidence of a new form of brain damage study" which was unknown at the time of Ruby's trial. The defense's key trial point was that Ruby was mentally incapable of realizing the nature and consequence of his act because of brain damage.

Smith testified, without explaining, that "possible other new evidence has come to me."

The defense has submitted some 186 asserted reversible errors in its original motions for a new trial. Burleson and Dr. Smith contended that they needed access to the official trial transcript in order to be sure of other possibilities.

While Judge Brown overruled their formal motion on this point, he told the defense "that I want

(Indicate page, name of newspaper, city and state.)

1 "The Dallas
Morning News"
Dallas, Texas

Date: 4-14-64
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Author:
Editor: Jack B. Krueger
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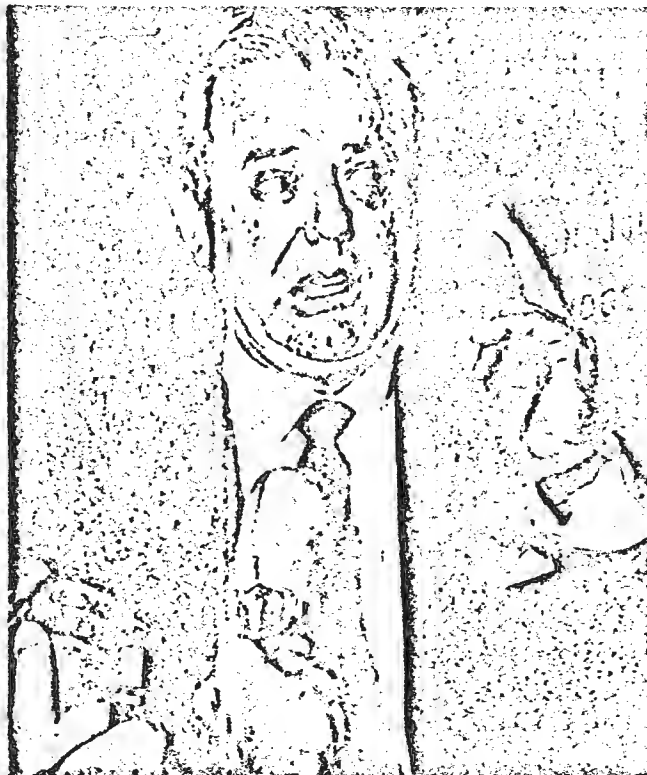
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Submitting Office: Dallas

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46 APR 29 1964

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—Dallas News Staff Photo.

**Dr. Hubert W. Smith . . . works at new
image for Jack Ruby defense.**

to cooperate with you in every way possible. I am just as interested as you in protecting this defendant's rights."

Then he agreed to let the attorneys hear supplemental audio recordings made by court reporters of the trial proceedings.

The defense said it needed the trial transcript principally because Dr. Smith was unfamiliar with what went on.

However, the prosecution hit hard at the fact that Dr. Smith had served as consultant to the defense "as far back as December." He was paid \$750 for the work, they claimed.

Dr. Smith, who is a physician as well as a lawyer, agreed that he had recommended and helped reach some expert medical witnesses for the defense.

But he said he had nothing to do with planning, analyzing or presenting evidence in the case. He said he received the \$750 from Joe Tonahill, a defense attorney, "out of his own pocket."

Dr. Smith said he hoped that funds would be forthcoming from outsiders to help defray future expenses in the Ruby defense.

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Judge Denies Extra Time In Ruby Case

DALLAS, Tex., April 13 (AP)—Judge Joe B. Brown today overruled a request by Jack Ruby's lawyers for an extension of time involving a motion for a new trial for their client.

The judge set April 29 as the date for an open hearing on a defense motion for a new trial.

Defense lawyers argued at today's hearing that more time was needed to draw up a proper new trial motion. Attorney Phil Burleson told the court that he has learned that one state witness "told a falsehood under oath" during the Ruby trial.

Other reasons also were mentioned for the time extension.

The new leader of the Ruby defense, Dr. Hubert Winston Smith, said at the hearing today that more time was needed because he had "only a vague idea of what went on during the trial" in which Ruby was convicted of murder in the slaying of Lee Harvey Oswald, accused presidential assassin.

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141 APR 20 1964

The Washington Post and Times Herald _____
 The Washington Daily News _____
 The Evening Star _____
 New York Herald Tribune _____
 New York Journal-American _____
 New York Mirror _____
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 New York Post _____
 The New York Times _____
 The Worker _____
 The New Leader _____
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 The National Observer _____
 People's World _____
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Chicagoan Joins Ruby Defense

B. APPROX 12/23
Charles Bellows, often rated as Chicago's most skilled defense lawyer, has joined the battery of attorneys trying to save killer Jack Ruby from the electric chair.

Bellows, 61, is a veteran of 500 murder trials. The number of clients he has lost to the electric chair can be counted on the fingers of one hand.

Mrs. Eva Grant of Dallas, sister of the man assessed the death penalty for shooting Lee Harvey Oswald, said that Bellows has known Ruby and his family for more than 20 years.

Bellows was asked to represent Ruby early in the case. Tom Howard, at that time an attorney for Ruby, invited Bellows to come into the case soon after Ruby's arrest.

No more mention of Bellows was made, however, when Melvin Belli was retained as chief counsel for Ruby.

In Chicago, Bellows said he was asked by members of the Ruby family to become a consultant on the legal team.

"They had talked to me before they got Belli," he told the Chicago Sun-Times. "But for one reason or another I didn't get in it at that time."

Bellows said he has a "lot of confidence" in the defense team of Phil Bursleson, Joe Tona-hill and led by Professor Hubert Winston Smith of the University of Texas Law School.

"What I plan to do is just advise them and aid in any way that I can be of any assistance. I don't intend to come into the motions for a new trial. But I do intend to participate in the appeal itself if the motion for a new trial is turned down," the Chicago attorney said.

Dr. Smith, who visited Ruby Saturday in his cell at the county jail, said that announcement of Bellows' entry on the defense team was "premature." However, he said that he knows Bellows and considers him a leading criminal lawyer.

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Mr. Trotter	_____
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Mr. Holloman	_____
Miss Gandy	_____

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27 "The Dallas
Morning News"
Dallas, Texas

Date: 4-12-64
Edition:
Author:
Editor: Jack B. Krueger
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Hearing Set On 2 Ruby Trial Moves

A full hearing on two defense motions in the Jack Ruby case, described by the state as delaying tactics, Friday was set for 10 a.m. Monday in Judge Joe B. Brown's Criminal District Court.

Defense lawyer Phil Burleson said condemned murderer Ruby will be present at the hearing. The hearing was set by the judge after the state filed motions asking the court to deny an extension of time for an additional defense motion for new trial and the defense request for a copy of testimony.

Mr. Burleson said in light of the state's motions which both stated there was not cause for delay of the new trial hearing, he wanted the opportunity to prove he had grounds for his motions. Judge Brown gave the defense until Monday morning to file additional proof supporting its requests.

Asst. Dist. Atty. Bill Alexander pointed out, however, "the clock is still running" and under the law the new trial hearing must be held by April 29. The district attorney's office filed answers Friday morning asking the court to deny the two defense motions. The defense motions asked for an extension of time to file a second amended motion for a new trial and requested a copy of trial testimony. The state asked that both be denied because the requests failed to show legal cause for such actions. The state's answer to the motion asking for more time argued that the request was not backed up by facts.

STATE'S POINTS

Regarding the defense motion for a copy of testimony, the state pointed out: (1) The defense failed to state legal grounds for such an act; (2) the defense failed to identify any part of the testimony it needed for its motion for new trial; (3) two attorneys, Mr. Burleson and Joe Tonahill, were present during the testimony and had the opportunity to preserve any points they needed; (4) granting a copy of the testimony would only delay further a hearing on a motion for new trial without good cause. The state asked both requests be denied and a hearing on the new trial motion be set within 20 days of April 9. Mr. Burleson cited 195 alleged

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Miss Holmes _____
Miss Gandy _____

(Indicate page, name of newspaper, city and state.)

21 "The Dallas
Times-Herald"
Dallas, Texas

Date: 4-10-64

Edition:

Author:

Editor:

Felix R. McKnight

Title:

Jack Ruby

Character:

or

Classification:

Submitting Office:

Dallas

☐ Being Investigated

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trial errors in his first and Ruby's ~~argued motion for~~ ~~new trial~~. The trial ended in a death penalty verdict March 14.

A third defense motion filed late Thursday asked the court for a copy of all testimony heard during the trial.

The motion stated that newly appointed attorney Dr. Hubert Winston Smith needed to study the testimony to prepare for the hearing on a motion for new trial.

Dr. Smith, a professor of law at the University of Texas, entered the Ruby case late in March after chief defense lawyer Melvin Belli was fired by the convicted slayer's family.

Ruby's lawyers based their request for a new trial in a 31-point motion, claiming Judge Brown erred repeatedly in his rulings both during the trial and in pre-trial hearings. Among the allegations of error were four points raised during the change of venue hearing, in which the defense asked the trial be removed from Dallas County, where Ruby shot Lee Harvey Oswald two days after the assassination of President Kennedy.

The motion claimed nine errors had been committed in jury selection, including the seating of jurors who saw the shooting on television, the seating of jurors who had an opinion of Ruby's guilt and limiting of defense examination of prospective jurors.

The defense also claims that 15 specific errors were made by the court in refusing to admit certain evidence favorable to Ruby.

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New Trial Plan For Ruby Given Final Revisions

DALLAS, Tex., April 7 (AP). —Defense lawyers are putting finishing touches on an amended motion asking a new trial for convicted murderer Jack Ruby.

Unless the lawyers ask for more time, they will file their appeal tomorrow or Thursday, the deadline under Texas law.

District Judge Joe Brown has 20 days from the filing of the amended motion to schedule a hearing.

In other developments, Sheriff Bill Decker fired two jail guards yesterday for "obvious negligence" in allowing seven prisoners to escape March 6, at the height of the Ruby trial.

The prisoners, two of whom are still at large, kept policemen and spectators at bay by brandishing a fake gun they carved out of soap and blackened with shoe polish.

Sheriff Decker said the guards, A. S. Greer and Troy L. Richey "disregarded jail rules" but did not elaborate. They had been suspended since the break.

The Washington Post and Times Herald _____
 The Washington Daily News _____
 The Evening Star _____
 New York Herald Tribune _____
 New York Journal-American _____
 New York Mirror _____
 New York Daily News _____
 New York Post _____
 The New York Times _____
 The Worker _____
 The New Leader _____
 The Wall Street Journal _____
 The National Observer _____
 People's World _____
 Date _____

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Dr. Smith Pays Visit To Ruby

Dr. Hubert Winston Smith, new chief defense counsel for Jack Ruby, visited his client briefly during the weekend at the Dallas County Jail.

The Texas University law professor, who entered the Ruby case two weeks ago, had no comment on his Sunday visit or attempts of defense counsel to reverse the death verdict returned March 14 against the former nightclub operator for the murder of Lee Harvey Oswald.

A lengthy motion for a new trial is expected to be filed by Ruby's attorneys later this week. Deadline for filing the motion, amending a preliminary new trial request, is Thursday.

Dr. Smith went on leave of absence from the University of Texas last week to handle the Ruby case following a controversy over his entering the case while being paid to teach at the state financed school.

J. L. Ruby

*File
G-101*

59 APR 29 1964

Mr. Tolson	
Mr. DeLoach	
Mr. Mohr	
Mr. Bishop	
Mr. Casper	
Mr. Callahan	
Mr. Conrad	
Mr. Felt	
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Miss Gandy	

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24 "The Dallas
Times-Herald"
Dallas, Texas

Date: 4-6-64

Edition:

Author:

Editor:

Title: Felix R. McKnight

Character:

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Classification:

Submitting Office:

Dallas,

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JPL-114

(RUBY)

DALLAS--JACK RUBY'S DEFENSE LAWYERS ALL AGREED TODAY HE IS SANE, AND DIST. JUDGE LOUIS HOLLAND HELD UP A DECISION ON A SANITY TRIAL UNTIL HE CAN CLEAR UP THE MATTER WITH A STUDY OF THE LAW.

RUBY WAS NOT IN COURT TODAY FOR THE PRE-TRIAL HEARING. HIS LAWYERS SAID IT WAS NOT NECESSARY TO HAVE HIM IN COURT. THE MAIN SUBJECT OF THE HEARING WAS A MOTION BY RUBY'S SISTER, MRS. EVA GRANT, WITHDRAWING HER EARLIER AFFIDAVIT THAT HER BROTHER HAD BECOME ISANE SINCE HE WAS CONVICTED OF MURDERING PRESIDENTIAL ASSASSIN LEE HARVEY OSWALD.

JUDGE HOLLAND SAID THE TEXAS COURT OF CRIMINAL APPEALS HAD ORDERED A SANITY HEARING FOR RUBY AND HE WAS GOING TO HAVE IT MONDAY. BUT RUBY'S LAWYERS -- PHIL BURLSON, SOL DANN, SAM HOUSTON CLINTON JR., J.P. TONAHILL AND EMMETT COLVIN -- SAID THEY WOULD NOT PRESENT ANY EVIDENCE AS TO RUBY'S MENTAL CONDITION.

THEY SAID THAT THIS WOULD LEAVE THE STATE AS THE ONLY PART TO THE CASE THAT WOULD PRESENT ANY WITNESSES, AND INSISTED THIS VIOLATED RUBY'S CONSTITUTIONAL RIGHTS.

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NOT RECORDED
 176 JUN 17 1966

WASHINGTON CAPITAL NEWS SERVICE

(Mount Clipping in Space Below)

Defense Opposes Hearing

By WAYNE KING

Staff Writer

By Jack Ruby defense attorneys for Jack Ruby deny Friday that the sanity hearing scheduled for him next week would violate his constitutional rights. They said they will not offer any evidence of his insanity if the hearing is held.

Judge Louis T. Holland of Montague, hearing pre-trial motions before the sanity hearing scheduled Monday, at one point ordered the lawyers to produce witnesses on Monday, but later returned the hearing until 10 days after the hearing.

The hearing is scheduled for the sanity hearing is a result of an affidavit filed by Mrs. Eva Grant Ruby's sister, in April 1964, claiming her brother was insane.

MRS GRANT filed a motion Thursday asking that her affidavit be withdrawn and the lawyers said this motion removes the reason for the hearing.

[Faint, illegible text]

a courtroom full of spectators disappointed because Ruby was not brought in as expected, was held in a tense atmosphere as attorneys for Ruby and the state exchanged arguments.

EARLY IN THE hearing, Judge Holland overruled a motion to withdraw Mrs. Grant's affidavit, saying, "I think justice requires me to do this."

But attorneys Phil Burleson, Sol Dann, and Joe Tonahill offered numerous arguments to the contrary, saying that the only evidence in the hearing Monday, if it is held, will be evidence of Ruby's sanity, since the defense plans to offer no evidence.

Tonahill introduced the possibility of appealing an unfavorable ruling when he said, "Should you go forward and try the case, I feel it would reach constitutional dimensions."

IN MRS GRANT'S motion, she stated that she was not a witness to the three reasons:

1. "To avoid further legal entanglements that have been present in processing Jack Ruby's appeal.

2. "To assure Jack Ruby a speedy review of his main trial record at the next term of the Court of Criminal Appeals.

3. "To assure speedy and adequate psychiatric aid in the event of a conviction, either by a grand jury or by a jury.

JUDGE HOLLAND observed that nowhere in the motion does Mrs. Grant say that her brother is presently sane.

"If you could file motions and withdraw them at will," said the judge, "you could file another one before sundown and delay the proceedings indefinitely."

Dist. Atty. Henry Wade argued that the defense's insistence on a sanity hearing has been responsible for the delay in appealing Ruby's conviction for the murder of Lee Harvey Oswald. Ruby was convicted in March, 1964 of murdering Oswald and received the death penalty. His appeal of the conviction is still pending.

BURLESON, HOWEVER, said that if the sanity hearing is called off, the defense will immediately ask the Court of Criminal Appeals to consider the appeal.

Wade, taking the case to the court, offered a choice to the judge other than sustaining or overruling Mrs. Grant's motion.

He suggested that Judge Holland continue the matter and consult the Court of Criminal Appeals, which ordered the sanity hearing in the first place.

Judge Holland decided to continue the hearing until Friday afternoon so that he could consider the attorneys' arguments. He immediately began writing recommendations on the case.

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"The Dallas
Times Herald"
Dallas, Texas

Date: 6/10/66
Edition:
Author:
Editor: Felix R. McK
Title:

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58 JUN 27 1966

RY FERRE

44-24016-
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Stay Ruby Hearing, High Court Is Asked

By ROBERT E. BASKIN
Washington Bureau of The News
WASHINGTON — Counsel for Jack Ruby Thursday asked Supreme Court Justice Hugo Black for a stay of a scheduled sanity hearing for Ruby in Dallas on June 13.

In a petition filed with the high court, it was contended that Ruby could not be given a fair hearing while a dispute is going on over who should represent him in court.

The petition sharply attacked the Texas Court of Criminal Appeals' action ruling that Joe Tonahill of Jasper should be recognized as a Ruby counsel at the hearing before Dist. Judge Louis T. Holland of Montague County.

SIGNER OF the petition was William M. Kunstler, a New York lawyer.

Kunstler raised the question with the court as to whether Ruby should be forced into a hearing with an attorney he does not want and who has been discharged by both Ruby and his family.

It was pointed out that in May,

1965, Judge Holland had ordered Tonahill removed as an attorney, but that on May 11 of this year the Court of Criminal Appeals ruled he should represent Ruby at the June 13 hearing.

The petition also alleged that Tonahill has not acted on behalf of Ruby in more than a year and that he as "criticized, castigated, and disparaged" other counsel employed by the convicted slayer of Lee Harvey Oswald.

KUNSTLER ARGUED that the sanity hearing would have a "triangle" legal situation with Tonahill on one side, himself on another and state's attorneys on the third.

"A lay jury," the petition said, "cannot fail to see the division of purpose and procedure and can legitimately consider this in making a determination."

The petition asked the stay pending a subsequent petition to the court for a writ of certiorari under which the high court would review Ruby's death penalty conviction, the appeal on which has not been acted upon yet by the state Criminal Appeals Court.

A "flagrant violation" of Ruby's rights to due process of law was charged in a preliminary bid for reversal of the conviction.

The basis for this charge was the fact that the trial judge, Joe B. Brown, has contracted to write a book about the case.

THE PETITION complained of "the spectacle of a judge in a capital case negotiating and contracting for the sale of a book concerning the very proceedings before him, long in advance of termination and the beginning of the writing thereof."

Included in the petition was a letter from Brown to a New York Publishing firm asking for more time before submitting a manuscript because of new developments in the Ruby case in which he was involved.

The Court of Criminal Appeals on May 18 held that Brown had

not disqualified himself through the contract to write a book. The petition was forwarded to Justice Black in late afternoon, and he is expected to rule upon it in the next few days.

Listed as attorneys for Ruby on the petition, in addition to Kunstler, were Phil Bursleson of Dallas, Sam Houston Cointon Jr. of Austin, Sol A. Dann of Detroit, Mich., and Elmer Gertz of Chicago, Ill.

Mr. Tolson
Mr. DeLoach
Mr. Mohr
Mr. Wick
Mr. Casper
Mr. Callahan
Mr. Conrad
Mr. Felt
Mr. Gale
Mr. Rosen
Mr. Sullivan
Mr. Tavel
Mr. Trotter
Tele. Room
Mr. Holloman
Miss Gandy

(Indicate page, name of newspaper, city and state.)

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"The Dallas
Morning News"
Dallas, Texas

Date: 6-3-66
Edition:
Author:
Editor: Jack B. Kruger
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Submitting Office: Dallas
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Stay of Ruby Sanity Hearing Is Asked in Supreme Court

WASHINGTON, June 2 (AP) — Counsel for Jack Ruby filed a request in the Supreme Court today for a stay of a sanity hearing scheduled June 13 in the Dallas criminal court.

Ruby was convicted for slaying Lee Harvey Oswald, identified by the Warren Commission as the assassin of President Kennedy. Ruby was given the death penalty.

The request also asked for a stay of all state court appeal proceedings pending the filing of an appeal to the Supreme Court on the denial of a writ of habeas corpus by Judge Louis T. Holland of Dallas.

William M. Kunstler, New York City attorney, filed the stay request, which will be submitted to Justice Hugo L. Black after Texas has had opportunity to file a reply.

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176 JUN 8 1966

The Washington Post and Times Herald _____
The Washington Daily News _____
The Washington Evening Star _____
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UPI-EE

(RUBY)

WASHINGTON--A LAWYER FOR JACK L. RUBY TODAY ASKED SUPREME COURT JUSTICE PUGO L. BLACK TO BLOCK A SANITY HEARING SCHEDULED FOR JUNE 13 UNTIL THE HIGH COURT CAN LOOK INTO HIS CASE.

THE SANITY HEARING FOR THE MAN CONVICTED OF MURDERING LEE HARVEY OSWALD, ASSASSIN OF PRESIDENT KENNEDY, WAS ORDERED BY THE TEXAS COURT OF CRIMINAL APPEALS. JUDGE LOUIS T. HOLLAND OF MONTAGUE, TEX., HAS BEEN ASSIGNED TO IT.

RUBY'S MAJOR APPEAL FROM THE CONVICTION, FOR WHICH HE DREW THE DEATH SENTENCE IS IN ABEYANCE PENDING THE RESULT OF THE SANITY HEARING. THE AIM OF THE HEARING IS TO DETERMINE WHETHER RUBY IS SANE ENOUGH TO CHOOSE HIS OWN COUNSEL.

PAPERS FILED AT THE SUPREME COURT TODAY BY NEW YORK ATTORNEY WILLIAM M. KUNSTLER ASKED FOR A STAY OF ALL STATE COURT PROCEEDINGS PENDING AN APPEAL OF A PHASE OF THE CASE TO THE FEDERAL TRIBUNAL.

IT WAS UNDERSTOOD THE STATE WOULD NOT OPPOSE THE APPLICATION.
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WASHINGTON CAPITAL NEWS SERVICE

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UFI-66

(RUBY)

AUSTIN, TEX.--THE TEXAS COURT OF CRIMINAL APPEALS DENIED TODAY A
 MOVE TO GIVE CONDEMNED JACK RUBY A NEW TRIAL ON THE GROUND THAT TRIAL
 JUDGE JOE P. BROWN HAD A PERSONAL INTEREST BECAUSE HE WAS WRITING A
 BOOK ABOUT THE CASE.

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54 MAY 25 1966

WASHINGTON CAPITAL NEWS SERVICE

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UPI-69

ADD RUBY, AUSTIN (UPI-66)

THE APPELLATE COURT ORDERED DIST. JUDGE LOUIS HOLLAND I DALLAS, WHO HAS TAKEN OVER FOR JUDGE BROWN IN THE RUBY CASE, TO PROCEED IMMEDIATELY WITH A TRIAL TO DETERMINE WHETHER RUBY HAS LOST HIS SANITY SINCE HE WAS CONVICTED MARCH 14, 1964, OF MURDERING PRESIDENTIAL ASSASSIN LEE HARVEY OSWALD.

IF THE SANITY TRIAL DETERMINES THAT RUBY IS SANE, THEN THE TEXAS COURT OF CRIMINAL APPEALS WILL GO AHEAD WITH CONSIDERING RUBY'S APPEAL ON THE CASE'S MERITS. THAT IS, THE DEFENSE CONTENDS BROWN COMMITTED 1200 LEGAL ERRORS IN TRYING RUBY.

THE HIGHEST CRIMINAL COURT IN THE STATE TOOK ONLY A WEEK AFTER HEARING ARGUMENTS TO RULE ON THE MOTION THAT BROWN DISQUALIFIED HIMSELF.

THE APPELLATE COURT, IN DENYING THE MOTION, TECHNICALLY A MOTION FOR A WRIT OF HABEAS CORPUS, SAID IT WOULD NOT ENTERTAIN AN MOTION FOR REPEARING.

RUBY'S LAWYERS CONTENDED THAT BROWN'S PROPOSED BOCK, TO WHICH HE GAVE A TITLE OF "DALLAS, RUBY AND THE LAW," GAVE THE DALLAS JUDGE A PERSONAL INTEREST IN THE CASE, THUS DISQUALIFYING HIM EVEN DURING THE ORIGINAL TRIAL.

BUT ASSIST. DIST. ATTY. JAMES WILLIAMSON OF DALLAS ARGUED THAT BROWN'S ACTIONS RELATING TO THE BOCK ALL CAME AFTER THE CASE WAS OVER AND HAD BEEN APPEALED.

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WASHINGTON CAPITAL NEWS SERVICE

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Miss Gandy _____

Ruby Lawyer Dwells On Letter by Judge

By CARL FREUND

Austin Bureau of The News

AUSTIN, Texas—An attorney for Jack Ruby said here Wednesday that Criminal Dist. Judge Joe B. Brown of Dallas wrote "a very revealing and shocking letter" in which he told of his willingness to "state an untruth."

The attorney, Phil Burleson of Dallas, referred to the letter repeatedly as he urged the Texas Court of Criminal Appeals to set aside Ruby's death sentence.

Burleson said Judge Brown had a financial stake in the outcome of the Ruby case since the jurist was writing a book about the case. As a result, Burleson argued, Judge Brown was legally disqualified from taking any action in the case and Ruby should get a new trial on a charge of murdering Lee Harvey Oswald.

Assistant Dist. Atty. James Williamson of Dallas disagreed.

The appeals court said it would study their arguments and the record in the case before announcing its decision.

BURLESON SAID Judge Brown wrote the letter March 12, 1965, to the New York firm which had contracted to publish his book.

Burleson said the second paragraph of this letter stated:

"About the book—it perhaps is a good thing that it is not finished because they (Ruby's lawyers) have filed a motion to disqualify me on the grounds of having a pecuniary interest in the case. I can relate that by stating that

there has been no book published or that I have not begun to write a book."

But in the next paragraph, Burleson said, Judge Brown wrote:

"We are coming along nicely. We have approximately 190 pages complete."

BURLESON SAID Judge Brown told the publishers elsewhere in the letter:

"As you probably read in the papers, the Court of Criminal Appeals tossed the case back to me to determine Jack Ruby's sanity. I have set the sanity hearing for March 29 and don't know the outcome, but it is my opinion they will never prove Ruby insane."

"The case is far from being over. Therefore, I ask your indulgence and patience as actually we may have a much, much better book than we had anticipated, but I do not want to put myself in the position of being disqualified."

Burleson said the letter showed that Judge Brown knew he was disqualified, but that he intended to keep acting in the case even though it required him to "state an untruth."

Burleson said the record shows other "inconsistencies" by Judge Brown, who received \$5,000 advance to write the book.

JUDGE BROWN was not in the courtroom here. He stated during a Dallas hearing last September that he was not actually writing a book at the time he sent the controversial letter.

Instead, Judge Brown said, Paul Crume, a Dallas News columnist, was "ghost writing" the book for him. The judge said he planned to edit and revise sections of Crume's manuscript before sending it to the publishers to carry out his contract.

The contract was not signed until July 21, 1964—four months after a Dallas County jury convicted Ruby of murdering the Marxist who had been charged with assassinating President Kennedy.

Burleson argued, however, that Judge Brown acted on defense motions after the contract was signed. The appeals court could presume he thought about writing a book while the trial was in progress, Burleson added.

ANOTHER defense lawyer, William M. Munstler of New York, said the U.S. Supreme Court has held that the "due process" clause of the Fourteenth Amendment guarantees defendant that all rulings in their cases will be made by judges "who are under no temptation whatever . . . who are above suspicion."

Williamson argued that, since Ruby's appeal is pending, defense lawyers are not entitled to a separate ruling at this time on the question of whether Judge Brown was disqualified. Williamson said state laws require the courts to limit themselves to the main appeal.

The prosecutor emphasized that Judge Brown did not contract to write "Dallas, Ruby and the Law" until after Ruby's trial had ended.

DEFENSE LAWYERS have not shown that the projected book influenced any decision by the judge, Williamson added. And, he said, they have not shown that the decisions themselves were incorrect.

"There is a great difference between a judge pre-judging, before he has heard the evidence, and expressing an opinion after a trial has ended," Williamson declared.

Williamson reminded the appeals court that, while defense lawyers complain about Judge Brown's book, they should remember that Melvin Belli also wrote a book about the case. Belli was chief defense attorney when the jury convicted Ruby.

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"The Dallas
Morning News"
Dallas, Texas

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Edition:
Author:
Editor: Jack B. Kruger
Title:
Character: NOT RECORDED
176 JUN 21 1966
Classification:
Submitting Office: Dallas
☐ Being Investigated

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TEXAS HIGH COURT HEARS RUBY'S PLEA

His Lawyers Attack Judge's Contract to Write Book

Special to The New York Times

AUSTIN, Tex., May 11—The Texas Court of Criminal Appeals heard arguments today on whether a judge's \$5,000 advance for writing a book had prevented Jack L. Ruby from receiving a fair trial.

The court has been asked to order a new trial before a judge other than District Judge Joe B. Brown of Dallas, who presided at the trial of Ruby for the murder of Lee Harvey Oswald, the assassin of President Kennedy.

Two lawyer, Phil Burleson of Dallas and William M. Kunstler of New York, urged that Ruby be granted a writ of habeas corpus, setting aside the death penalty imposed March 14, 1964.

They contended that Judge Brown had stepped over the legal line when he began negotiations with Clint Murchison Jr. of Dallas that led to a contract and a \$5,000 advance with Holt, Rinehart & Winston, Inc., to write a book to be called, "Dallas, Ruby and the Law." Paul Crume, a Dallas newspaperman, was to help Judge Brown write the book.

Cites Letter by Brown

Mr. Burleson cited a letter Judge Brown wrote to the publisher March 12, 1965, in which the judge mentioned a motion made to disqualify him. He wrote:

"I can refute that by stating that there has been no book published or that I have not begun to write a book.

"We are coming along nicely. We have approximately 190 pages complete."

In the same letter, Judge Brown referred to the fact that the Court of Criminal Appeals had ordered him to hold a hearing on Ruby's sanity. Judge Brown wrote that he did not know the outcome of the hearing, scheduled for March 29, "but it is my opinion they will never prove Ruby insane."

The fact that the conviction had been entered, and the main case was on appeal, did not make the book contract permissible because Judge Brown was still ruling on important motions, Mr. Burleson said.

Assistant District Attorney

James M. Williamson of Dallas argued the state's case. He contended that the effect of the habeas corpus proceeding was to take a second road to appeal, not authorized by Texas law, while the main appeal was before the appellate court.

Contention Is Disputed

Mr. Williamson said that the book contract was not worked out until July 21, 1964, long after Ruby's conviction on March 14, the overruling of the motion for a new trial and the appeal to the Court of Criminal Appeals. Thus, the prosecutor contended, the Ruby case was for all practical purposes out of Judge Brown's hands.

Mr. Williamson disputed the argument that sales of the book would be influenced by whether the conviction stood or was reversed. There was no showing that Judge Brown would gain a dollar from the outcome of the case, he said.

Mr. Kunstler, in rebuttal, declared that the court's decision must be whether Judge Brown's actions "will satisfy the appearance of justice."

A decision from the three judges of the appellate court, the highest in Texas, normally comes within three or four weeks after oral arguments are heard.

The case heard today is an appeal from a refusal of District Judge Louis T. Holland of Montague, transferred to Dallas to replace Judge Brown to grant the writ of habeas corpus.

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Ruby

Handwritten signatures and notes

- The Washington Post and Times Herald
- The Washington Daily News
- The Evening Star
- New York Herald Tribune
- New York Journal-American
- New York Daily News
- New York Post
- The New York Times
- The Baltimore Sun
- The Worker
- The New Leader
- The Wall Street Journal
- The National Guardian
- People's World
- Date

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53 MAY 18 1966

MAY 12 1966

Ruby Says He Has Given Up Hope



Jack L. Ruby, seated, has his handcuffs removed by a deputy sheriff after arriving at court hearing in Dallas.

DALLAS, March 31 (AP) — Jack Ruby, killer of President Kennedy's assassin, said today he had given up hope. Speaking almost in riddles, the one-time nightclub operator was asked if he had lost hope. "I sure have," Ruby said. Reporters pressed him about whether he expected to be executed in the electric chair, and he would only reply, "well, you figure it out." Ruby clearly stated remorse for shooting down Lee Harvey Oswald on Nov. 24, 1963, two days after Oswald killed the President. Asked if he regretted shooting Oswald, Ruby said: "Yes. Many, many times."

Ruby, who is 35 years old, looked better than he had at most of the court sessions during his trial. His color had improved and he had gained weight. He talked to reporters in his frequently cryptic manner as he was brought into court for a hearing. "This is all just a farce," he said.

The hearing was to question defense lawyers on the reason for their delay in appealing a habeas corpus hearing. Legal maneuvering is being held up pending the appeal to the Texas Criminal Appeals Court. A jury sentenced Ruby to death but several appeals have been filed.

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New York Journal-American _____
New York Daily News _____
New York Post _____
The New York Times 9-35 _____
The Baltimore Sun _____
The Worker _____
The New Leader _____
The Wall Street Journal _____
The National Observer _____
People's World _____
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UPI-206

(RUBY)

AUSTIN, TEX.--A 60-PAGE TEXT OF THE HABEAS CORPUS HEARING INTO THE ELIGIBILITY OF DIST. JUDGE JOE B. BROWN TO TRY THE JACK RUBY MURDER CASE ARRIVED AT THE STATE COURT OF CRIMINAL APPEALS MONDAY.

THE DEFENSE HAD ASKED THAT BROWN BE DECLARED INELIGIBLE FROM ANY FURTHER ACTION IN THE CASE BECAUSE BROWN HAD CONTRACTED TO WRITE A BOOK ABOUT THE RUBY TRIAL.

BROWN HAD STEPPED DOWN AS JUDGE OF THE RUBY CASE, BUT THE DEFENSE WANTED HIM OFFICIALLY DECLARED INELIGIBLE ANYWAY. JUDGE LOUIS HOLLAND, SITTING IN FOR BROWN, REFUSED TO GRANT THE DEFENSE REQUEST, AND THE DEFENSE SAID THEY WOULD APPEAL.

A HEARING DATE ON THE APPEAL CANNOT BE SET UNTIL A STATEMENT OF FACTS ARRIVES, IN ADDITION TO THE TRANSCRIPT.

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WASHINGTON CAPITAL NEWS SERVICE

NOT RECORDED
 191 MAR 24 1966

Jack Ruby Draws and Colors To While Away Time in Jail

**Slayer of Oswald Is Reported
to Be Much Calmer Than
After Conviction in '64**

By MARTIN WALDRON

Special to The New York Times

DALLAS, Feb. 22—While a Federal judge was deciding this week that the United States Government owned the rifle that Lee Harvey Oswald had used in the assassination of President Kennedy on Nov. 22, 1963, the man who killed Oswald sat quietly on the sixth floor of the Dallas County Jail, drawing and coloring.

Jack L. Ruby, sentenced to death for shooting Oswald two days after Mr. Kennedy's assassination, was reported to be much calmer now than he was shortly after his conviction in March, 1964, when, on occasion, he had rammed his head against the jailhouse walls.

Ruby, now almost 55 years old, lives in a 10-foot-wide, 20-foot-long corridor in the jail where he is under the constant eye of a guard. His makeshift cell is kept lighted at all times.

He shares the floor with three or four other men condemned to die, jail officials said.

Most of the time, Ruby sits drawing pictures of women or making intricate geometric designs. Sometimes he colors drawings, or plays dominoes.

Because he lives in a corridor, Ruby has a number of visitors in his cell each day—officers going to another cell or trustees mopping the floor. He gets many letters and cards, and his sister who lives in Dallas, is a frequent visitor.

Fight Is Calmer

The legal fight in Ruby's behalf has become considerably calmer than it was in 1964 and 1965 when several court scenes were described by the participants as "circuses."

Judge Joe B. Brown, who presided at Ruby's trial, has disqualifed himself after several bitter attacks from Ruby's lawyers, who said that a book Judge Brown is writing about the case had prejudiced him.

Melvin Belli, the San Francisco attorney who was Ruby's chief counsel, has long since departed the scene although he did file a long brief with the Texas Appeals Courts as a friend of the court in behalf of Ruby.

Ruby now has an almost entirely new set of lawyers representing him in three appeals, two of which now are before the State Appeals Court in Austin and the other being held in abeyance.

Of five sets of lawyers who have been in the Ruby case at one time or another, only Phil Burleson of Dallas has been kept on the case the entire way. Others have been dismissed by Ruby or by his family.

One, Percy Foreman of Houston, dismissed himself after only 16 hours.

Lawyers now listed as active in behalf of Ruby are Sol Dann of Detroit, Elmer Gertz of Chicago, William Kunstler of New York City, Sam Houston Clinton Jr., of Austin, and Mr. Burleson.

New Team of Lawyers

The new judge, called in from Montague, 400 miles away, to bring some order out of the threatened chaos in 1965, is Louis T. Holland. Judge Holland permitted Ruby to dismiss the lawyers he said he was dissatisfied with and allowed him to accept the new team.

A legal move to have Ruby declared insane is being held in abeyance while the Texas Court of Appeals in Austin ponders whether Ruby should be granted a new trial. There has been no indication when the court will rule on the 18-month-old appeal.

Dallas Police Chief Jesse Curry, whose department arrested Oswald for the Presidential assassination only to have him shot down in the police station before a nationwide television audience, resigned his job last week amid what the Dallas newspapers called "growing criticism" of the Police Department because of the city's crime rate.

Mr. Curry had viewed the Oswald slaying by Ruby as a terrible blow to the reputation of Dallas.

J. R. Leavelle, the detective who was holding Oswald when Ruby shot him, still is on the Dallas police force.

The detective exclaimed, "Jack, you son of a bitch!" and wrestled Ruby to the floor after the shot had been fired. Since then, Mr. Leavelle has been transferred to the detail on burglary and theft.



United Press International
Jack L. Ruby

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Casper ☐
Callahan ☐
Conrad ☐
Felt ☐
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Ruby's Lawyers Ask Court to Drop Appeal

NEW ORLEANS, Dec 9 (UPI) — Attorneys for Jack Ruby, the former Dallas nightclub owner sentenced to death for the murder of Lee Harvey Oswald, has asked the U.S. 5th Circuit Court of Appeals to drop his appeal to the court.

The motion, filed by four of Ruby's lawyers, said the significant reasons for filing the appeal have been remedied thru state action and what the appeal sought was moot.

Dismissal of the appeal would not affect his right to appeal his death sentence to Texas courts.

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 Date 12-14-65

DEC 14 1965

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Oswald Conviction Doubtful, Tonahill Says

By DON DAVIS
Joe B. Tonahill, defense husband, attorney for Jack Ruby, said Tuesday he "doubted (Lee Oswald should have been giving Harvey) Oswald could have en a truth serum and questioned on charges of faked about the assassinating President John Kennedy immediately after his arrest in the interest of the national government.

Ironically, Tonahill said he feels Oswald could have been convicted easily in the death of Dallas policeman J. D. Tippit.

The flamboyant Jasper, transgress on the rights of Tex., lawyer, in Oklahoma City for a Wednesday speaking engagement at the Oklahoma Bar Association Convention, also reiterated his charge that Ruby had been a "product of Communist Oswald."

Tonahill said the supreme court would have helped inadmissible much of the circumstantial evidence compiled by the Warren Commission in its case against Oswald.

The commission incorporated circumstantial evidence given it by Oswald's wife, Marina, in its report, he explained. Among evidence offered by Mrs. Oswald were pictures of Oswald and the rifle used in the assassination and a blanket found in Oswald's garage that matched threads snagged on the rifle found in the Texas book depository.

Evidence procured through Mrs. Oswald would not have been admissible under Texas law, Tonahill said. Texas statute prohibits a woman from testifying against her husband.

There is no possible connection between Ruby and Oswald, Tonahill contends. "I made it a condition of accepting the case that he (Ruby) would submit to any type of truth test," he said. "He (Ruby) isn't the type anyone would have any confidence in anyway," Tonahill continued. "He's a Damon Runyon type and a real name dropper. He's a glory seeker and really never amounted to anything himself."

Tonahill entered the trial at the beckoning of Melvin Belli shortly after Ruby had been indicted. He has now been connected with the case longer than any of the attorneys hired and fired by Ruby's family.

"Ruby's family has tried to conduct his defense like a strip show," Tonahill said, "changing the billing of attorneys every week. This has disgusted the courts and depreciated the efficiency of the lawyers by making them rationalize with the family," he said.

A sanity trial for Ruby is now pending and must be heard before any appeal can be made, Tonahill explained. He pointed out he was Ruby's attorney only so far as the appeals are concerned and had nothing to do with the sanity trial.

Appeals will be based on evidence introduced by the prosecution concerning Ruby's malice and premeditation in the shooting. "A change of venue would have made all the difference in the world in the trial," Tonahill scoffed at the competence of District Judge Joe B. Brown, who heard the Ruby trial and said he "shouldn't ever try an important case."

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1,2 THE OKLAHOMA JOURNAL
OKLAHOMA CITY, OKLA.

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124 DEC 4 1965

Date: DECEMBER 1, 1965
Edition: MORNING
Author: DON DAVIS
Editor: W. P. ATKINSON
Title: JACK LEON RUBEN-STEIN, aka Jack Ruby; LEE HARVEY OSWALD -
Character: VICTIM, CR
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Classification: 44-430
Submitting Office: OKLA. CITY
☐ Being Investigated

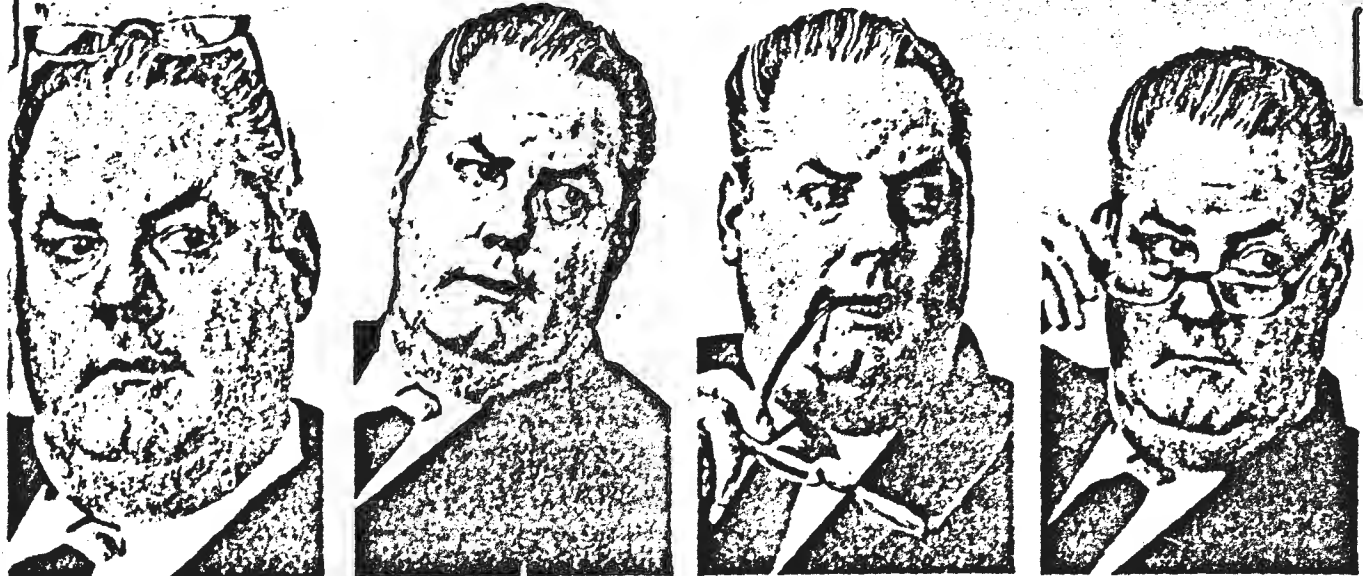
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"It isn't my role to speculate on the decision of an appellate court," Tonahill said, "but officers' testimony concerning what Ruby said after his arrest that was introduced to show malice and premeditation is inadmissible and should be ruled out."

"There is certainly ample precedent to reverse the decision," he said.

Tonahill said if Ruby isn't committed to an asylum and is convicted on the lesser charge of murder without malice he would serve from two to five years.



(Photo By John Gumm)

Attorney Joe Tonahill Captured In Variety of Moods

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Life for Ruby Favored By Oswald's Mother

By GUY DRAUGHON

Mrs. Marguerite Oswald said Thursday she agreed with Dallas Dist. Atty. Henry Wade that Jack Ruby's death sentence should be reduced to life imprisonment.

But, she added, a special law should be passed to insure that Ruby would remain behind bars for life.

Mrs. Oswald, mother of alleged presidential assassin Lee Harvey Oswald who was killed by Ruby while in custody of Dallas police, told the Star-Telegram that Wade's proposal—under present laws—would allow a loophole for Ruby's parole.

"THERE IS NO law now that says Ruby would remain in prison for life if the sentence is reduced to life imprisonment," Mrs. Oswald said.

"The lawmakers will have to hold a special session and pass a law that he will not be eligible for parole."

Mrs. Oswald said she does not believe in capital punishment.

"I would like to see Jack Ruby or any other murderer have life imprisonment instead of the death penalty," she said.

Mrs. Oswald, who said she is still convinced of her son's innocence in the assassination of President John F. Kennedy Nov. 22, 1963, agreed with Wade that Ruby should be kept alive for interviews and historical purposes.

But she took issue with a statement made several months ago by Dist. Judge Joe B. Brown that he did not feel Ruby ever would be executed because "we are talking about the man who killed the man who killed President Kennedy."

"RUBY KNOWS something he is not telling," Mrs. Oswald said. "He pulled the trigger, but I want the man who gave the order, and by keeping him alive we may find out some day."

She said Ruby, despite Judge Brown's statement, did not kill the man who killed Kennedy.

"At the time Ruby killed my son," Mrs. Oswald said,

he killed a suspect in police custody who was proclaiming his innocence.

"If Ruby had killed my son after the Warren Commission made its report that Lee was the assassin, there might be some justification in saying Ruby killed the man who killed the president.

"But even at that," Mrs. Oswald said, "the Warren Commission was composed of seven human beings who evaluated the evidence. They are capable of human error."

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Star Telegram"
Ft. Worth, Texas

Date: 11-5-65

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Editor:

Title: Jack L. Butler

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Dallas

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Commutation for Ruby

Texas authorities appear to be having second thoughts about the scheduled execution of Jack Ruby, the slayer of President Kennedy's assassin. Several months ago Judge Joe B. Brown, who imposed the sentence and since has been engaged in writing a book about the case, was quoted as saying that he did not believe that the sentence would be carried out. His reason for so thinking was that Ruby is "the man who killed the man who killed President Kennedy." Yet that reasoning appears not to have influenced his original judgment. Does Judge Brown have to write a book about a case before he can think seriously about the sentence he imposes?

The latest expression of qualms has come from District Attorney Henry M. Wade of Dallas who says that he is willing to recommend commutation of Ruby's death sentence to life imprisonment. Here again the suggestion appears to be related more to expediency than to the essential considerations of justice. Mr. Wade thinks it is important to keep the condemned man around for "historical purposes" because "there are still a lot of unanswered questions."

Up to now the prosecutor has apparently gone no further than to try to bargain with the defense counsel on reduction of the sentence. He would agree to life imprisonment if Ruby's lawyers would acquiesce, which they will not. With the case still on appeal, they are hopeful of a more favorable outcome for their client. If these efforts leave the death sentence unchanged, however, we think Mr. Wade will have a positive obligation to go before the Texas Board of Pardons with an appeal for the commutation he has informally suggested. An execution in this case in the current aura of judicial shadow-boxing and commercialism would be a most unfortunate postlude to the Dallas tragedy.

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UPI-74

(RUBY)

DALLAS--CONDEMNED SLAYER JACK RUBY WENT TO COURT TODAY IN A NEAT BROWN SUIT AND WITH A CUT ON HIS LIP TO HEAR A JUDGE POSTPONE HIS SCHEDULED SANITY TRIAL.

DIST. JUDGE LOUIS HOLLAND OF MONTAGUE, TEX., GRANTED A DEFENSE REQUEST FOR A DELAY BECAUSE "IT MIGHT CONCEIVABLY PREJUDICE THE RIGHTS OF THE DEFENDANT" TO START THE JURY TRIAL TODAY. NO NEW DATE WAS SET.

THE CUT ON HIS LIP APPARENTLY WAS CAUSED WHILE SHAVING.
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WASHINGTON CAPITAL NEWS SERVICE

2 LAWYERS TERM RUBY TRIAL UNFAIR

392-Page Study Is Critical
of the Presiding Judge—
Cites His Book Contract

By WILL LISSNER

Did Jack L. Ruby, Dallas nightclub owner who killed Lee Harvey Oswald, President Kennedy's assassin, receive a fair trial? Was the penalty imposed—death in the electric chair—the right one?

Answering both questions in the negative, a 392-page study of the case, "The Trial of Jack Ruby," published last week by the Macmillan Company, adds new fuel to the fires of controversy that have enveloped Ruby's prosecution.

Ruby is scheduled to have a sanity hearing in Dallas today before District Judge Louis T. Holland. Last Sept. 10 Judge Holland denied a plea for a new trial for Ruby based on an argument that the judge who presided at Ruby's trial, Joe B. Brown Sr., should have disqualified himself.

The latest book on the events in Dallas was written by two law school professors, John Kaplan of Stanford University and Jon R. Waltz of Northwestern. Both are experienced trial lawyers.

Weaknesses Found

They conclude that the Ruby case reflected little credit on the legal profession or the judicial process, and that it exposed the weaknesses of trial by judge and jury.

The heaviest of their strictures are aimed at Judge Brown, the presiding judge at the trial. He contracted for a fee to write a book about the case, which might still be before him "at the time his book was published," the authors charge, calling the situation "grotesque."

Judge Brown wrote a letter to the publishers, Holt, Rinehart and Winston of New York, proposing that he deny having begun to write the book. The authors "guess" that the disclosure of the letter led Judge Brown to disqualify himself from conducting the sanity hearing.

From his chambers in Dallas, Judge Brown said over the telephone Friday night that he had found what he had read of the law professors' book so far "hostile" and "biased."

"Its replete with inaccuracies," he said.

As an example of an inaccuracy, Judge Brown cited the statement that "to no one's great surprise" Judge Brown "exercised the prerogative of assigning it [the Ruby case] to himself."

"He implies that I sought the case, which is the opposite of the truth," Judge Brown said. "The fact is that the case came to me by lot. I was chosen by lot to impanel the grand jury which indicted Ruby."

"It is customary for the judge who impanels the jury to take the case himself unless he can get some other judge to take it. I tried several other

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and only slight criticism. For the defense they gave high praise and sharp criticism. They conclude that Melvin Bell, "very possibly the best-known private practitioner in the United States," who was chief counsel for Ruby at the trial, made "tactical errors."

If Mr. Bell's errors produced "the wrong result," they say, this is because the adversary system requires not only that both sides be represented equally well but that they have equal luck.

The authors do not indicate what they think Ruby's penalty should have been. But they report that even the prosecution considered the death penalty "too severe." They say that the degree of Ruby's guilt was one of the main issues of the trial and that the trial did not settle the question.

Another factor that kept Ruby from getting less than the measure of justice to which he was entitled, the authors write, is that the Ruby trial was "a state case," one involving the highest interests of the state.

"Our legal procedures," they conclude, "are not designed for cases in which all of the participants — the lawyers, the judge, the witnesses and the jury—know that the eyes of the nation are on them."

judges and they begged off. So I had to take the case. It was not the type of case a judge relishes."

34 Appeals Cited

The book also says, Judge Brown pointed out, that the judge has had 34 cases appealed and in 10 he had been reversed on the ground of errors prejudicial to the accused.

"I don't know where they got these statistics," Judge Brown said. "They could have got the facts from the clerk of the court. I have had at least a hundred decisions appealed. I don't know how many have been reversed on the ground of judicial error, but 10 would not be very significant."

The authors concede that "a judge's batting average on appeal is a faulty measure of his competence" and, after an extended discussion, note that Judge Brown "was generally considered a defense judge."

Judge Brown said he had agreed to write the book only after the case was concluded, indicating that he considered it concluded with the jury verdict. He has testified that one reason he allowed friends to persuade him to write it was that in the public records he had been "cast as the hanging judge in a city of hate."

He said his letter to the publisher was dated March 12, 1965—a year after the conclusion of the trial—and that he had not begun to write then. The "190 pages completed" to which the letter refers were by a researcher and did not refer to author's pages, he said. His own manuscript is still incomplete, he said.

For the prosecution the law professors have much praise

"ELL

ON

Disorder in the court

By James E. Clayton

THE TRIAL OF JACK RUBY. By John Kaplan and Jon R. Woltz. Macmillan. 416 pp. \$6.95.

This book begins in the tragedy of a President's assassination and ends in the tragedy of the law's inability to provide a convincingly just result in a murder trial. It has no heroes. Every major figure who moves through its pages—and most of the minor ones—is diminished by what he did. But even more troubling than the stains this sordid episode leaves on men's lives are the doubts that the trial of Jack Ruby casts about the foundations of our nation's criminal law.

One finishes this book greatly dissatisfied. Not dissatisfied with the account of the trial of the man who killed Lee Harvey Oswald, for that is skillfully and carefully written; the book provides a ringside seat with expert commentators on hand to explain the legal problems, strategies, and tactics as events unfold. It is the expert commentary that inspires the dissatisfaction and creates the doubts about the whole legal process. One wonders whether Jack Ruby actually received justice from the jury that sentenced him to death. One suspects that this trial, given different lawyers and a different judge, might have come to a different conclusion. One is not certain whether Jack Ruby was sane or insane when he committed the nation's first murder on live television. One is sure of only one thing: this trial was a circus from start to finish.

The authors know, of course, that the facts they report create doubt about the justice of the jury's verdict. They seem unaware, however, that thoughtful readers of their book may also begin to question the processes on which we rely to achieve justice in all criminal cases. The portraits they paint of the leading figures—Judge Joe B. Brown and defense counsel Melvin Belli—raise some of those questions.

Early in the book the authors write of Brown, "It was only partly because of their low opinion of his legal talents that civic and business leaders in Dallas were in vocal despair at the prospect of Judge Brown presiding over the Ruby trial. . . . [They] knew that Judge Brown's most notable weakness was a passion for the limelight." Nothing in the book detracts from the appraisal of Brown.

Belli, a San Franciscan hailed widely by himself and others as a great trial lawyer, comes out no better than Judge Brown—perhaps worse. The authors, one a professor of law and the other a practicing attorney, imply that his choice of strategy and his alienation of the jurors by repeated attacks on their city of Dallas cost Ruby a good chance for no worse punishment than a short jail sentence. Several times they claim Belli had not done his homework. Again and again they note Belli's fascination with publicity which went even to the

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Jack Ruby (left) and Melvin Belli

point of attempting, after the death sentence had been returned, to take pictures of Ruby in jail for sale to magazines.

But the fundamental doubts about our system of criminal justice are raised when the authors attempt to explain why the only question in this case—whether Ruby was sane when he pulled the trigger and, if he was, what his punishment should be—were handled as they were. The theory espoused by Belli that Ruby shot Oswald during a psychomotor epileptic seizure seems, on the evidence, rather thin. But the diagnosis of episodic psychosis advanced by Dr. Manfred Guttmacher, director for over three decades of the psychiatric clinic of the Baltimore criminal courts, seems, at least to the authors and to me, more plausible. Because of the defense's preoccupation with epilepsy and the prosecution's preoccupation with winning a conviction, no attempt was made to explore Guttmacher's theory which might have provided the true answer to the key question. It is here that the authors' unemotional comment on such a tactical decision by the defense becomes profoundly disturbing: "In litigation, as in many other areas of life, a 'correct' decision may lead to disaster, whereas

an 'incorrect' one might have carried the day. The hard fact is that our adversary system must rely to a great extent not only on both sides being represented with equal skill but also upon their having approximately equal amounts of luck."

Those words strike to the heart of the criminal law. Is it morally justifiable to put men on trial for their lives under a system in which skill and luck can so vitally influence the outcome? Is it justifiable to condemn a man to death or imprisonment because, or even on the chance that, his lawyer is not so skillful or not so lucky as the prosecutor?

Questions of this kind often seem to be overwhelmed by the centuries of history of Anglo-Saxon jurisprudence which accept the adversary system of trials as the best method of finding the truth. But they persist throughout this book. Is the best way of learning the truth about a man's mental condition to place experts who disagree on the witness stand and let opposing lawyers poke fun at their statements? One assistant prosecutor said of Belli's defense theory, "I wonder if they got their psychomotor variant from the psychomotor pool," and described a psychologist who gave Rorschach tests as a man "who thinks he can diagnose anything with ink-spots." Is it justifiable to let tactics play as dominant a role in the outcome of trials as they now do?

The dulling of sensitivity to these questions in the legal community could hardly be better illustrated than it is in this book by its lawyer authors. Explaining by an anecdote why it is dangerous for a lawyer to omit certain evidence in hope that it may unwittingly be presented to better effect by opposing counsel, they say: "Most laymen perhaps might feel that the point of the story is that a clever trick by an attorney can mean the difference between life or death for a defendant. Lawyers, however, merely derive from it the injunction that one must never rely on cross-examination to develop the information which one needs on direct."

If lawyers derive from such a story nothing more than an instruction on how to ply their trade, if they have lost the layman's instinct that something is amiss when the search for truth theoretically embodied in a criminal trial can be doomed by disparities of skill or luck, then the criminal processes that rest so largely in lawyers' hands become a subject of grave concern. Lawyers may be right in accepting the dogma of their profession that the adversary system, despite its flaws, is the best available method of finding the truth. But to accept tactics and skill and luck as determinative factors in a search for truth is to invite loss of public confidence that such a search is actually being made. And lack of public confidence is already, it seems to me, a serious problem for American law.

JENKIN LLOYD JONES

And Jack Ruby Still Sits in a Cell

On the morning of Nov. 24, 1963, the most public murder in the history of mankind was committed by a strip-tease impresario in Dallas, named Jack Ruby. Literally millions of television viewers watched as Lee Harvey Oswald, assassin of President Kennedy, came through the jail corridor toward the loading dock with a smirk on his face. These millions saw Ruby move in, heard the bark of a pistol, and watched as Oswald's grin turned to a grimace and he slumped to the floor.

If there ever was a murder case in which there was no mystery, in which the essential facts could be agreed to by stipulation, this was it. Without a shadow of doubt one man had killed another man who was in the custody of the law, shackled and defenseless. There remained only one question: Was the killer mentally responsible for his action, or was he not?

This determination, so far as human beings may rightly determine such an ephemeral thing as mental stability, could have been made within four weeks of the shooting. All of Ruby's pertinent background could have been examined. A score of alienists could have interviewed and observed him. His relatives and friends could have been questioned at length. And, in the meantime, a jury could have been impaneled. The jury, when it finally did get the case 15 weeks after the shooting, reached a verdict in two hours.

As the second anniversary of the shooting of Oswald approaches, the killer sits in the Dallas jail. He has been condemned to death for more than 18 months. He has never even been to the penitentiary. The final disposition of his case seems farther off than it

did a year ago. Here is a perfect example of the growing tendency to turn American justice into legal circuses. What the Ruby case was all about has been forgotten. Instead, we appear to be watching a trampoline act.

The Jack Ruby trial began on February 17, 1964. For a week thereafter, Melvin Belli, the flamboyant chief of the defense, demanded a change of venue. Two weeks were occupied in picking 12 jurors out of 160 veniremen, during which Belli wanted to test prospective jurors with a lie detector and sought to bar all who had seen the shooting on TV. By the trial's end Belli had thought up 41 "errors."

When the verdict was announced Melvin Belli put on an act that has few precedents. He said he feared a plot of Dallasites to kill Ruby in his cell to prevent an appeal.

"The Criminal Court of Appeals," he shouted, "will chastise this kangaroo pouch judge. He didn't walk to the bench, he hopped." And then, with a marvelous mixture of metaphors, he roared, "Dallas is running a kangaroo railroad!"

So the judge, the jury and all citizens of Dallas were on trial, not Jack Ruby.

On April 29, 1964, the trial judge, Joe B. Brown, denied motions for a new trial. Ruby's defense lawyers, now minus Belli, filed notice of appeal.

Six weeks later Chief Justice Earl Warren interviewed Ruby in connection with his report on the Kennedy assassination. On August 7 last year the Ruby defense filed 15 bills of exceptions, citing as errors such things as the refusal of the judge to make prospective jurors swear they were not members of the John Birch Society.

So things rocked along until February 17 of this year when the Ruby family said that Jack wanted to fire defense attorney Joe Tonahill. Tonahill said Ruby was too insane to fire him. A week later the appeals court ordered Judge Brown to submit Ruby's sanity to a jury.

On March 8 Judge Brown appointed Tonahill and Dallas lawyer Phil Burleson to serve as Ruby's attorneys in a future sanity hearing. But on March 18 Ruby's relatives filed a writ of habeas corpus in Federal District Court, claiming that Ruby's constitutional rights were being violated because he couldn't pick his lawyers. When this was thrown out an appeal was made to the Fifth U.S. Circuit Court of Appeals.

On May 25 Judge Louis T. Holland of Montague, Texas, subbing for Judge Brown, dismissed Tonahill. On June 21 Judge Brown asked to be relieved of any further Ruby hearings.

On September 10 defense attorneys argued that the case should start over from the beginning because Judge Brown disqualified himself when he agreed to write a book about the trial. Jack Ruby still sits in his jail cell.

Funny? No, utterly tragic. The law has broken down. The business of punishing criminals or treating psychopaths has been submerged in a gigantic farce written by and for lawyers. Life in our wonderful country grows more dangerous day-by-day.

Jack Ruby, the man whose assault was seen by millions, is no offender compared to the American judicial system that seems to be at war against decent citizens who need protection by the law.

When are Americans going to get mad?

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Ruby Team Seeks Removal of Brown

By DARWIN FAYNE

The sister of Judge Joe B. Brown testified Thursday her brother had mentioned nothing to her about writing a book about the trial of Jack Ruby during the trial.

Mrs. Bard Paul was first witness called by Ruby's lawyers, who sought in the hearing to determine the qualification of Judge Brown as presiding judge in the Ruby murder trial.

Mrs. Paul said Judge Brown first told her of the book in July, 1964.

She testified that although she was a professional book reviewer, it never occurred to her that her brother might write about the trial, nor did she suggest he do it.

Another witness, newspaper columnist Paul Crume, said he was first contacted by the book's publishers and accepted an assignment to write the book in July, 1964.

Mr. Crume said the book was intended to be Judge Brown's "personal story."

"I got the impression that he was angry and perhaps a little hurt about some of the things that had been published and he wanted to tell his side of it," said Mr. Crume.

Mr. Crume said he was paid \$1,000 advance on a total payment of \$5,000 and expenses for writing the book. He said the book has yet to be finished.

Other witnesses to be heard in-

clude Judge Brown, William J. Tribe, vice president of Holt, Rinehart and Winston Publishing Co., and L. B. Bailey, court reporter.

As the condemned slayer entered the courtroom Thursday, he complained to reporters that he disliked the image they have created of him during his previous courtroom testimony.

"My mind has not deteriorated," Ruby said. "As a matter of fact, I feel it has matured more."

Ruby, seated at the counsel table, told reporters: "What you need is a telescope to see into my mind."

"I am a little nervous now," he admitted.

Ruby claimed the facts sur-

rounding the assassination will never be revealed because "unfortunately some people in high places had so much to gain by putting me in this position."

Asked to elaborate, Ruby said for example that results of a polygraph test given him in jail under supervision of Chief Justice Earl Warren has not been divulged.

The hearing was being held in Judge J. Frank Wilson's Criminal District Court.

Accompanying Ruby were his attorneys, Phil Burtleson of Dallas, Sol Dann of Detroit, Elmer Gertz of Chicago and Sam Houston Clinton Jr. of Austin.

Judge Louis T. Holland of Montague, who has since replaced Judge Brown in hearing Ruby's appeals, ordered the hearing on the question of Judge Brown's qualification.

Both defense attorneys and Dist. Atty. Henry Wade's staff have been given advance copies of the manuscript, co-authored by newspaper columnist Crume.

The state contends the contract for the book was signed several months after the trial and had no bearing on any judicial decisions in the case.

The book, entitled "Ruby, Dallas and the Law," is scheduled for publication next spring.

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Mr. Casper _____
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Mr. Conrad _____
Mr. Felt _____
Mr. Gale _____
Mr. Rosen _____
Mr. Sullivan _____
Mr. Tavel _____
Mr. Trotter _____
Tele. Room _____
Miss Holmes _____
Miss Gandy _____

(Indicate page, name of newspaper, city and state.)

"The Dallas Times-Herald"
Dallas, Texas

Date: 7-4-65

Edition:

Author:

Editor:

Title:

Felix R. McKnight

Character:

or

Classification:

Submitting Office:

☐ Being Investigated

Dallas

55 OCT 26 1965

OCT 25 1965



Jack Ruby, seated, talks to brother, Earl, during hearing.

—Staff Photo by Bill Beal

Tolson ☒
 Belmont ☒
 Mohr ☒
 DeLoach ☒
 Casper ☐
 Callahan ☐
 Conrad ☐
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 Trotter ☐
 Tele Room ☐
 Holmes ☐
 Gandy ☐

UPI A99N DA

NIGHT LEAD RUBY
 BY EDWARD DE LONG

UNITED PRESS INTERNATIONAL

DALLAS, SEPT. 9 (UPI)--JUDGE JED B. BROWN TODAY TESTIFIED THAT HIS MUCH PUBLICIZED BOOK ON THE JACK RUBY TRIAL WAS JUST A "SPUR OF THE MOMENT IDEA."

LAWYERS FOR RUBY TODAY WENT INTO COURT IN AN ATTEMPT TO HAVE BROWN DISQUALIFIED FROM ANY FURTHER APPEAL IN THE RUBY CASE. BROWN HAS WITHDRAWN FROM THE CASE EARLIER THIS YEAR, BUT THE DEFENSE SAID THEY WANTED TO HAVE HIM OFFICIALLY AND LEGALLY REMOVED ANYWAY.

BROWN'S BOOK ON THE TRIAL, CURRENTLY IN ITS ROUGH DRAFT FORM, TOOK UP MOST OF TODAY'S TESTIMONY IN THE DISQUALIFICATION HEARING.

BROWN HIMSELF TOOK THE STAND IN THE AFTERNOON SESSION AND SAID HE DECIDED TO WRITE THE BOOK AFTER HEARING SO MANY DEROGATORY THINGS SAID ABOUT DALLAS AND THE TRIAL THAT HE "WANTED TO SET THE RECORD STRAIGHT."

"IT WAS JUST A SPUR OF THE MOMENT IDEA," HE SAID.

BROWN IS WRITING THE BOOK IN COLLABORATION WITH PAUL CRUME, A COLUMNIST WITH THE DALLAS MORNING NEWS. HE SAID CRUME HAS ABOUT FINISHED THE ROUGH DRAFT OF THE BOOK AND THAT HE MUST NOW EDIT IT AND CHANGE IT TO HIS TASTES.

BROWN SAID HE HAD BEEN GRANTED A \$10,000 ADVANCE ON THE BOOK, BUT THAT IT HAD BEEN TRIMMED TO \$5,000. HE SAID HE PRESUMED THE OTHER \$5,000 WOULD GO TO CRUME, BUT THAT HE WAS NOT SURE.

RUBY'S ATTORNEYS CALLED CRUME AS THEIR SECOND WITNESS IN A HEARING WHICH SEEKS A NEW TRIAL FOR THE CONDEMNED SLAYER. THE DEFENSE WAS EXPECTED TO CLAIM BROWN WAS DISQUALIFIED IN THE CASE BECAUSE OF THE BOOK HE PLANNED TO WRITE AND THEREFORE THE SLAYER OF LEE HARVEY OSWALD SHOULD HAVE THE NEW TRIAL.

CRUME SAID BROWN HAS BEEN READING HIS MANUSCRIPTS, WHICH ARE ABOUT TWO-THIRDS FINISHED, AND MAKING MINOR CORRECTIONS.

"IT WAS TO BE A PERSONAL STORY," CRUME TESTIFIED. "IT WAS TO BE JUDGE BROWN'S OWN STORY OF THE TRIAL AND EVENTS AROUND IT."

CHIEF DEFENSE LAWYER PHIL BURLESON ASKED CRUME IF BROWN WANTED TO "JUSTIFY HIS POSITION" IN THE RUBY CASE WITH THE BOOK.

"YES," R-- (MORE) HC-613PPD.

REC-31

NOT RECORDED

50 SEP 21 1965

EX-100

167 SEP 15 1965

WASHINGTON CAPITAL NEWS SERVICE

Tolson _____
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UPI A103N DA

1ST ADD NIGHT LEAD RUBY (ASSN) X X X THE BOOK.
 "YES," CRUME REPLIED. "I DON'T THINK HE EVER USED THE WORD
 'JUSTIFY'; HE WANTED TO TELL HIS SIDE OF IT."
 EARLIER BROWN'S SISTER, MRS. MARY PAUL, TESTIFIED HER BROTHER
 TOLD HER HE WAS WRITING THE BOOK ABOUT THE TRIAL "BECAUSE IT WAS TIME
 SOMEBODY TOLD THE TRUTH ABOUT DALLAS."

MRS. PAUL, A PROFESSIONAL BOOK REVIEWER, SAID SHE FIRST LEARNED IN
 JULY, 1964, THAT BROWN INTENDED TO WRITE THE BOOK. SHE SAID THE NEWS
 SURPRISED HER.

"IT NEVER ENTERED MY MIND, BUT I SEE NOW WHY IT WOULD BE A VERY
 FEASIBLE THING."

ANOTHER PERSON WHO TOOK THE STAND WAS L. B. BAILEY, COURT REPORTER
 FOR THE THIRD DISTRICT COURT. HE SAID HE HAD TYPED SOME OF BROWN'S
 BOOK FOR THE JUDGE, BUT ONLY AS A PERSONAL FAVOR.

"I WAS OFFERED PAYMENT, BUT REFUSED," SAID BAILEY. BAILEY, WHO
 RECORDED THE TESTIMONY FROM OTHER WITNESSES, TOOK DOWN HIS OWN
 TESTIMONY ON A DICTOGRAPH AS HE SPOKE.

THROUGHOUT THE PROCEEDINGS RUBY SAT QUIETLY IN THE COURTROOM, HIS
 HEAD BOWED AND HIS HANDS STILL MUCH OF THE TIME. HE DID NOT REACH FOR
 TRIAL DOCUMENTS FROM HIS LAWYERS AND STUDY THEM, AS HE HAS DONE IN
 EARLIER HEARINGS.

RUBY WALKED INTO THE COURTROOM SURROUNDED BY SHERIFF'S DEPUTIES AND
 NEWSMEN ABOUT 10 MINUTES BEFORE THE HEARING STARTED. HE WAS PALE AND
 BITING HIS LIP.

HE TOLD REPORTERS THEY ARE CREATING A FALSE IMAGE OF HIM.

"MY MIND HAS NOT DETERIORATED," HE SAID. "I FEEL IT HAS MATURED
 MORE."

"THE WORLD WILL NEVER KNOW THE TRUE FACTS OF WHAT OCCURRED, OF MY
 MOTIVES," SAID RUBY. "I'M THE ONLY PERSON IN THE BACKGROUND WHO KNOWS
 THE TRUTH OF MY MOTIVES."

WHEN ONE OF RUBY'S LAWYERS, SOL DANN OF DETROIT, LEANED OVER AND
 WHISPERED SOMETHING IN THE FORMER NIGHTCLUB OPERATOR'S EAR, RUBY
 SNAPPED BACK:

"PLEASE, WILL YOU LET ME HANDLE MYSELF. I'M CAPABLE OF ANSWERING
 THEIR QUESTIONS."

VISITING JUDGE LOUIS T. HOLLAND OF MONTAGUE, WHO TOOK OVER THE
 RUBY CASE WHEN BROWN WITHDREW HIMSELF FROM IT EARLIER THIS SUMMER,
 SAID HE EXPECTED THE HEARING TO END SOMETIME TOMORROW.

PR-JT733PCS..

WASHINGTON CAPITAL NEWS SERVICE

Belmont ☒
 Mohr ☒
 DeLoach ☒
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 Callahan ☒
 Conrad ☒
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 Gale ☒
 Rosen ☒
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 Trotter ☒
 Tele Room ☒
 Holmes ☒
 Gandy ☒

The Ruby Imbroglio

The trial of Jack Ruby and the post-trial maneuvering in Dallas are a sorry commentary on the state of justice in that area. Because of the almost incredible bungling that followed the assassination of President Kennedy and made possible the slaying of the assassin, there was a special need for dignity, scrupulous fairness and a broad sense of justice in the Jack Ruby case. Unfortunately the bizarre aspects of the drama continue to predominate.

The conviction of Jack Ruby for the murder of Lee Harvey Oswald, the assassin, was taken for granted. Many persons were shocked, however, by the death sentence that was meted out to him by Judge Joe B. Brown, who had presided at the trial. In recent months it has developed that Judge Brown is writing a book about the case. This highly irregular and grossly improper attempt to exploit a case that came before him as a judge led to attempts to disqualify Judge Brown, although he had voluntarily withdrawn from any further connection with the case. After a hearing on the matter Judge Louis T. Holland declined to intervene, but a sense of public chagrin over this lack of sensitivity on the bench remains.

While the legal maneuvers are going forward, Ruby's "mental processes" are reported to be undergoing serious deterioration in a death cell. A hearing to determine whether he is insane is set for Oct. 18. Will this also be the subject for another book by another judge? Texas' judicial system is on trial no less than Jack Ruby. If the man who killed President Kennedy's assassin should be executed as the outcome of judicial procedures which seem to be tainted by commercialism, another grave reflection upon American justice will be added to the tragedy of the assassination.

The Washington Post and Times Herald _____
 The Washington Daily News _____
 The Evening Star _____
 New York Herald Tribune _____
 New York Journal-American _____
 New York Daily News _____
 New York Post _____
 The New York Times _____
 The Baltimore Sun _____
 The Worker _____
 The New Leader _____
 The Wall Street Journal _____
 The National Observer _____
 People's World _____
 Date _____

55 SEP 20 1965

NOT RECORDED
 167 SEP 20 1965

SEP 14 1965

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SEP 10 1965

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NOT RECORDED
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WASHINGTON CAPITAL NEWS SERVICE

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UPI-60

(RUBY)

DALLAS--BITING HIS LOWER LIP AND SAYING NOT A WORD, CONDEMNED JACK RUBY WENT TO COURT TODAY FOR A HEARING IN WHICH HIS ATTORNEYS SOUGHT TO HAVE DIST. JUDGE JOE B. BROWN DISQUALIFIED FROM THE CASE.

THE PALE RUBY WAS DRESSED IN A BLUE SUIT, GREY TIE AND DARK SHOES. HE LOOKED STRAIGHT AHEAD AS HE ENTERED THE COURTROOM DESPITE A BOMBARDMENT OF QUESTIONS FROM REPORTERS.

WHETHER OR NOT BROWN, THE TRIAL JUDGE SHOULD BE DISQUALIFIED FROM FURTHER PHASES OF THE CASE IS A MOOT QUESTION, SINCE BROWN HAS EXCUSED HIMSELF FROM THE CASE AND DIST. JUDGE LOUIS HOLLAND HAS TAKEN OVER IN HIS PLACE.

BUT RUBY'S LAWYERS CONTEND THAT BECAUSE BROWN IS WRITING A BOOK ABOUT THE CASE, HE HAD A "PECUNIARY INTEREST" IN IT FROM THE START. THEY FEEL THAT IF THEY CAN GET BROWN DISQUALIFIED BACK TO THE TIME OF THE TRIAL FOR THE MURDER OF LEE HARVEY OSWALD, THEY CAN OVERTHROW THE VERDICT AND GET A NEW TRIAL.

BROWN GAVE THE MANUSCRIPT OF HIS BOOK TO RUBY'S LAWYERS YESTERDAY. DIST. ATTY. HENRY WADE REPRESENTED BROWN. HE AND BROWN CONTEND THAT WRITING THE BOOK DOES NOT QUALIFY AS A "DIRECT" FINANCIAL INTEREST IN THE TRIAL'S OUTCOME.

THE BOOK, TO BE CALLED "RUBY, DALLAS AND THE LAW," IS EXPECTED TO BE PUBLISHED EARLY NEXT YEAR.

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NOT RECORDED
 167 SEP 15 1965

50 SEP 15 1965

WASHINGTON CAPITAL NEWS SERVICE

Tolson _____
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Ruby Lawyers Challenge Judge

DALLAS (AP) — District Judge Joe B. Brown made no rulings in the Jack Ruby case that would affect sales of his proposed book, state's attorneys will argue today.

Therefore, they stated in a brief filed Tuesday, he had no direct monetary interest in the case and should not be disqualified.

Attorneys for Jack Ruby will ask today that Judge Brown be disqualified and his rulings voided because of a proposed book. The defense attorneys will try to overthrow a guilty verdict in their claims that Judge Brown's rulings were prejudiced by the book.

The Washington Post and Times Herald _____
 The Washington Daily News _____
 The Evening Star _____
 New York Herald Tribune _____
 New York Journal-American _____
 New York Daily News _____
 New York Post _____
 The New York Times _____
 The Baltimore Sun _____
 The Worker _____
 The New Leader _____
 The Wall Street Journal _____
 The National Observer _____
 People's World _____
 Date _____

50 SEP 15 1965

NOT RECORDED
 167 SEP 15 1965

SEP 9 1965

(Mount Clipping in Space Below)

Ruby Lawyers- Base Plea on Planned Book

By JOHN GIDDIE

Attorneys for Jack Ruby will attempt to free him from a death sentence verdict by a habeas corpus hearing based on Judge Joe B. Brown's proposed book, an application filed Friday revealed.

The request for a habeas corpus hearing claims Ruby is now illegally confined because his conviction is "void."

The application charges that "during all or part of such proceedings, the said Judge Brown was contemplating, researching, preparing and actually writing a book upon the subject matter of the proceedings then pending before him."

For those reasons, he was disqualified and his actions null, attorney Phil Burleson claimed.

Burleson requested a hearing to show that Judge Brown was involved in the proposed book prior to and during the trial.

If so, and Judge Brown is disqualified, Ruby would be freed from the sentence and retried.

Judge Louis Holland of Montague ruled in the last Ruby hearing that he had no jurisdiction to determine disqualification of Judge Brown. He also said he considered the question "moot" because Judge Brown has resigned from the case.

Burleson said Friday that Judge Holland does have jurisdiction to issue a writ of habeas corpus and call an evidentiary hearing. The same evidence and witnesses ruled out by the denial of a disqualification hearing would be expected to be made public in a hearing to free Ruby.

(Indicate page, name of newspaper, city and state.)

1D

"The Dallas
Morning News"
Dallas, Texas

Date:

8-7-65

Edition:

Author:

Editor:

Title:

Jack B. Krueger

Character:

or

Classification:

Submitting Office:

Dallas

☐ Being Investigated

53 SEP 2 1965

(Mount Clipping in Space Below)

Judge Holland Denies Jack Ruby Motion, Says Court Doesn't Have Jurisdiction

By JOHN GEDDIE

Charges against Dist. Judge Joe B. Brown went unheard and unanswered Friday when Dist. Judge Louis T. Holland denied a Jack Ruby motion for a disqualification hearing.

Judge Holland ruled the question "moot" unless Judge Brown attempted to re-enter the case.

He said the district court does not have jurisdiction to rule on the charges and "anything this court could do would be an absolute nullity."

JUDGE BROWN, who left the case voluntarily, said after the hearing he had hoped he could have testified to answer claims of "pecuniary interest" and "questionable conduct."

Ruby observed the proceedings but did not speak for the court record. Defense attorneys Phil Burleson of Dallas and Sam Houston Clinton Jr. of Austin said they will consider returning to federal court for relief from the denial.

In their arguments to Judge Holland, they accused the district attorney's office of taking an "inconsistent position" in the question of jurisdiction for a disqualification hearing.

Ruby proceedings were remanded to state courts, Burleson said, after the dis-

trict attorney's office told federal officials that the matter would be heard in state court "at the proper time."

Assistant Dist. Atty. James Williamson argued that the statements were made before Judge Brown resigned—and that since he is no longer in the case there is no controversy for judicial determination.

JUDGE HOLLAND also overruled a request from Burleson to allow questioning of several subpoenaed persons, including Judge Brown. Judge Holland told him "It doesn't make any difference what they would testify."

Burleson earlier said, "I candidly tell the court that there are other manner and means to get the matter before the appeals court."

The judge replied he had no authority until an appeals court gave it to him and, if it ruled the district court has jurisdiction, "then I'd come back and try it."

BURLESON POINTED out that the state had not produced any court order showing that Judge Brown is officially out of the case. Dist. Atty. Henry Wade dispatched Assistant Dist. Atty. Bill Alexander to locate the paper but he returned empty handed.

(Indicate page, name of newspaper, city and state.)

1D

"The Dallas Morning News"
Dallas, Texas

Date: 7-24-65
Edition:
Author:
Editor:
Title: Jack B. Krueger

Character:
or
Classification:
Submitting Office: Dallas
☐ Being Investigated

NOT RECORDED
167 SEP 1 1965

A similar search for Judge Brown's letter of resignation from the case ended when Judge Dallas Blankenship, who appointed the replacement jurist after receiving the letter, said his secretary had filed the letter and he could not find it.

The overruled motion asked for Judge Brown's disqualification from the case because of the judge's proposed book on the Ruby trial. It sought also to disqualify his rulings during the trial—thus overturning the guilty verdict and death sentence.

The motion also claimed Judge Brown read a comic book while on the trial bench. Judge Brown said after the hearing, "What kind of a judge would do a thing like that?"

HE INSISTED the Ruby lawyers were referring to a book of caricatures on trial participants handed to him by a defense lawyer.

Ruby talked briefly with his sister, Mrs. Eva Grant, brother Earl Ruby and reporters before he was taken back to jail. He indicated he did not understand the legal terms used in the hearing and repeated, as he has many times, that he is not mentally incompetent.

(Mount Clipping in Space Below)

Ruby Defense Seeks Removal Of Joe Brown

Attorney Phil Burleson said Friday disqualification of Judge Joe B. Brown could result in setting aside the murder conviction and death penalty faced by Jack Ruby.

The lawyer said he would attempt to prove at a Friday afternoon hearing that Judge Brown began writing a book about the Ruby case while the murder trial was still in progress.

Mr. Burleson and Sam Houston Clinton of Austin, an attorney for the Texas Civil Liberties Union, planned to make the Friday afternoon appearance before Judge Louis Holland of Montague a full hearing.

The Ruby attorneys have subpoenaed six persons — including Judge Brown — to testify should Judge Holland grant a full hearing.

Others subpoenaed are newspaper columnist Paul Crane, Mrs. Bard (Maurice) Paul, the judge's sister and a book reviewer; County Auditor George Smith, Court Reporter L. B. Bailey and W. R. Lovejoy, a Southwestern Bell Telephone Co. employee.

Judge Brown has already voluntarily withdrawn from the Ruby case and Judge Holland has been appointed to replace him.

(Indicate page, name of newspaper, city and state.)

25A

"The Dallas
Times-Herald"
Dallas, Texas

Date: 7-23-65
Edition:
Author:
Editor:
Title: Felix R. McKnight

Character:
or
Classification:
Submitting Office: Dallas
☐ Being Investigated

NOT RECORDED
170 AUG 27 1965

53 AUG 31 1965

FOUNDATION
CITY-THESAURUS

(Mount Clipping in Space Below)

Oct. 18 Set For Ruby's Sanity Trial

Dist. Judge Louis T. Holland of Montague said Monday he has scheduled the Jack Ruby sanity trial for Oct. 18.

Ruby, sentenced to death for killing Lee Harvey Oswald, President Kennedy's assassin, is expected to return to court later this week for a hearing on a defense motion to disqualify Dist. Judge Joe B. Brown.

Judge Brown — resigned from the case but defense attorneys will ask Judge Holland for a complete hearing.

Phil Burleson of Dallas, a Ruby attorney, is expected to subpoena several witnesses for a disqualification hearing—based primarily on a partially completed book by Judge Brown.

The hearing is expected immediately after completion of a murder trial presided over by Judge Holland. Burleson said he expects to have his arguments prepared in anticipation of a hearing Thursday.

The October setting ruled out participation of one member of Dist. Atty. Henry Wade's staff. First Assistant Dist. Atty. A. D. Jim Bowie will take office Oct. 1 as judge of Criminal Dist. Court No. 5.

The Texas Court of Criminal Appeals ordered last spring that the Dallas court "judicially determine" Ruby's mental state.

Members of Ruby's family claim the condemned man's condition has worsened in recent weeks.

Mr. Tolson _____
Mr. DeLoach _____
Mr. Mohr _____
Mr. Bishop _____
Mr. Casper _____
Mr. Callahan _____
Mr. Conrad _____
Mr. Felt _____
Mr. Gale _____
Mr. Rosen _____
Mr. Sullivan _____
Mr. Tavel _____
Mr. Trotter _____
Tele. Room _____
Mr. Holmes _____
Miss Gandy _____

(Indicate page, name of newspaper, city and state.)

134

"The Dallas
Morning News"
Dallas, Texas

Date: 7-20-65
Edition:
Author:
Editor:
Title: Jack B. Krueger

Character:
or
Classification:
Submitting Office: Dallas
☐ Being Investigated

NOT RECORDED
167 AUG 3 1965

55 AUG 4 1965

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RUBY TRIAL JUDGE STEPS OUT OF CASE

Action by Brown Gratifies
 Convicted Man's Lawyers

DALLAS, June 21 (AP) — District Judge Joe B. Brown, who presided over Jack Ruby's murder trial, was removed at his own request today from further proceedings. One attorney for Ruby, Sol Dann of Detroit, said on learning of Judge Brown's removal: "Next, we expect to expose and disqualify one of the district attorneys who was principally responsible for and

pushing this unconscionable and excessive verdict." He would not elaborate. Ruby, a former cabaret operator in Dallas, was convicted last year of slaying Lee Harvey Oswald, the assassin of President Kennedy. He received the death penalty and his appeal has bogged down in a lengthy series of hearings. Judge Brown gave no reason for his withdrawal. He declared: "I don't think a judge has to give reasons for personal decisions he makes." Ruby's lawyers have tried to oust Judge Brown from the case for several months. Among points they cite is that the judge is writing a book about the trial, and therefore that he has a personal interest in the final disposition of the case. A state court hearing on a defense motion asking for Judge

Brown's disqualification had been set for July 8. Judge Dallas A. Blankenship, the judicial officer who assigns judges to cases in the Dallas area, said he had not decided yet on a replacement for Judge Brown. He also said no decision had been reached on whether to hold a pending sanity hearing for Ruby in Dallas County or elsewhere in the state. Judge Louis Holland of Montague, Tex., ruled at a hearing May 24 that a Jasper, Tex., lawyer, Joe Tonahill, be dropped from the Ruby defense for the sanity hearing. Judge Brown had temporarily stepped down for that hearing. Now serving as Ruby's lawyers, in addition to Dann, are Phil Burleson of Dallas, Elmer Gertz of Chicago and Sam Houston Clinton Jr. of Austin, Tex. The New York firm of

Kunstler, Kunstler & Kindy serves in an advisory capacity. Mr. Tonahill, who remains as an attorney of record for the appeal to the Texas Court of Criminal Appeals, said today that Judge Brown's removal should "tremendously strengthen grounds for a reversal" by the court. District Attorney Henry Wade, who led the prosecution against Ruby, said the new development makes "little difference." Hyman Rubenstein of Chicago, one of Ruby's brothers, said Judge Brown's removal was "the best news the family has had since Jack went into that police station." He apparently referred to Oswald's death, when Ruby walked into the basement of the Dallas police station on Nov. 24, 1963, and shot Oswald in the abdomen.

The Washington Post and Times Herald _____
 The Washington Daily News _____
 The Evening Star _____
 New York Herald Tribune _____
 New York Journal-American _____
 New York Daily News _____
 New York Post _____
 The New York Times _____
 The Baltimore Sun _____
 The Worker _____
 The New Leader _____
 The Wall Street Journal _____
 The National Observer _____
 People's World _____
 Date _____

NOT RECORDED
 6 JUN 28 1965

51 JUN 30 1965

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 Tele Room ☐
 Holmes ☐
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Handwritten signatures and initials, including "J. Edgar Hoover" and "B. J. Brown".

UPI ASSN DA
 NIGHT LEAD RUBY
 BY PRESTON MCGRAW

DALLAS, JUNE 21 (UPI)--DIST. JUDGE JOE P. BROWN, WHO TRIED JACK RUBY ON A MURDER CHARGE AND IS WRITING A BOOK ABOUT IT, VOLUNTARILY WITHDREW FROM THE CASE TODAY.
 BROWN ASKED DALLAS BLANKENSHIP, PRESIDING JUDGE OF THE DISTRICT, TO APPOINT ANOTHER JUDGE IN HIS PLACE. BLANKENSHIP SAID HE WILL APPOINT A SUCCESSOR WITHIN 24 HOURS.
 IN A TWO-SENTENCE LETTER TO JUDGE BLANKENSHIP, BROWN CITED NO REASON FOR WANTING TO WITHDRAW. BROWN DEFIED HIS DEATH SENTENCE FOR MURDERING THE HARVEY OSWALD, PRESIDENT KENNEDY'S ASSASSIN.
 BUT RUBY'S LAWYERS HAVE ACCUSED BROWN OF A CONFLICT OF INTEREST IN THE CASE BECAUSE HE IS WRITING A BOOK ABOUT IT. THE PUBLISHERS HAVE ALREADY GIVEN HIM A \$5,000 ADVANCE.
 A HEARING HAD TENTATIVELY BEEN SET FOR JULY 8 ON A DEFENSE MOTION TO REMOVE JUDGE BROWN FROM THE CASE. JUDGE BLANKENSHIP SAID THAT BROWN'S WITHDRAWAL MAKES SUCH A HEARING POINTLESS.
 TWO OTHER DEFENSE MOTIONS ARE PENDING FOR HEARING BY BROWN'S SUCCESSOR. ONE ASKS FOR A SANITY TRIAL AND THE OTHER ASKS THAT THE SANITY TRIAL, IF THERE IS ONE, BE MOVED OUT OF DALLAS.
 THE 34-YEAR-OLD RUBY'S CASE WAS BEFORE THE STATE COURT OF CRIMINAL APPEALS WHEN AN ARGUMENT OVER RUBY'S SANITY RETURNED IT TO DISTRICT COURT, WHERE RUBY WAS TRIED FOR MURDER.
 THE APPEALS COURT ORDERED JUDGE BROWN TO SETTLE THE QUESTION OF RUBY'S SANITY. RUBY WANTED TO DISCHARGE DEFENSE LAWYER J. H. TONAHILL.

NOT RECORDED
 46 JUN 28 1965

WASHINGTON CAPITAL NEWS SERVICE

MCNAHILL REFUSED TO RESIGN, SAYING RUBY WAS INSANE AND NOT COMPETENT TO DECIDE WHO SHOULD DEFEND HIM. JUDGE LOUIS MCCLAND OF MONTAGUE, TEX., SITTING IN FOR EBCWN, REMOVED MCNAHILL FROM THE CASE LAST MONTH. BUT MCCLAND ACTED WITHOUT GOING THROUGH A SANITY TRIAL, OR, INDEED, EVEN RULING WHETHER THERE SHOULD BE ONE. A SANITY TRIAL, WITH JURY, IS CONSIDERED ALMOST A CERTAINTY. IF A JURY PRONOUNCES RUBY INSANE, HE WILL GO TO A HOSPITAL FOR THE CRIMINALLY INSANE UNTIL HE RECOVERS HIS SANITY, AT WHICH TIME HIS APPEAL WILL START ON ITS WAY THROUGH THE COURT OF CRIMINAL APPEALS AGAIN.

ONCE A PERSON GOES INTO A HOSPITAL FOR THE CRIMINALLY INSANE, HOWEVER, IT REQUIRES ANOTHER JURY TRIAL TO ESTABLISH HE HAS REGAINED SANITY.

IF A JURY DECIDES RUBY IS SANE--AND HIS FAMILY AND LAWYERS CLAIM HE HAS DELUSIONS OF PERSECUTION--THE APPEALS COURT WILL START CONSIDERING HIS APPEAL AGAIN.

IT STOPPED CONSIDERING THE APPEAL WHEN IT ORDERED RUBY'S SANITY DETERMINED IN THE LOWER COURT.

THERE IS NO LEGAL QUESTION OF RUBY'S SANITY WHEN HE SHOT OSWALD OR WHEN HE WAS TRIED. THE TRIAL JURY REJECTED AN INSANITY DEFENSE.

JUDGE EBCWN REFUSED TO DISCUSS HIS RESIGNATION FROM THE CASE OR TO ENLARGE UPON HIS LETTER TO JUDGE BLANKENSHIP. THE LETTER SAID:

"I WOULD LIKE TO RESUCE MYSELF FROM ANY FURTHER DUTY IN THE CASE STYLED THE STATE OF TEXAS VERSUS JACK RUBY. THEREFORE, I REQUEST THAT YOU APPOINT ANOTHER JUDGE TO HANDLE ALL FUTURE PROCEEDINGS."

3 E-DN750PCS..

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BAR GROUP TO ASK A NEW RUBY TRIAL

New York Court Association
Will File Brief in Texas

The New York Criminal and Civil Courts Bar Association has decide to submit a friend-of-court brief to the Texas Supreme Court calling for a new trial for Jack Ruby, slayer of Lee Harvey Oswald, the assassin of President Kennedy.

The association's action was announced yesterday by Robert Daru, counsel for its Committee on Justice, who asserted that Ruby's trial in Dallas had been "un-American."

Mr. Daru charged that Ruby, a former Dallas night-club owner, had been denied "due process of law" at his trial for the slaying of Oswald.

Mr. Daru said that the summations at Ruby's trial continued through the night and ended in the early mornings. Such a procedure, he declared, violated Ruby's rights because it tired both counsel and jury to the point where "there is a serious question of due process."

"Spectacle of Tired Lawyers"

"The spectacle of tired lawyers, worn out, arguing for the life of a client in the wee small hours of the morning just doesn't fit into the American scene in the administration of justice," Mr. Daru asserted.

A former counsel to the Senate Rackets Committee, Mr. Daru said the brief for a retrial was being submitted regardless of Ruby's guilt or innocence or mental stability with regard to the shooting of Oswald.

On May 8, Mr. Daru announced here that he had filed formal charges with the Alabama State Bar Association and the American Bar Association calling for the disbarment of Matt H. Murphy Jr., a Birmingham lawyer for the Ku Klux Klan.

Mr. Murphy had defended Collie LeRoy Wilkins Jr. in his trial for the murder of Mrs. Viola Gregg Liuzzo in Hayneville, Ala. Mr. Daru charged that Mr. Murphy's conduct in the court had violated the ethics of the legal profession. He said yesterday that he intended to appear before the Alabama State Bar Association in a few days to press his complaint against Mr. Murphy.

Belmont ☒
Mohr ☒
DeLoach ☒
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Ruby Talk— By Judge Explained

Dist. Judge Joe R. Brown said Tuesday he was referring to possible changes in death penalty laws when he stated that Jack Ruby may never be executed.

Earlier Tuesday, Judge Brown was reported to have said Ruby's death sentence would be commuted by the Board of Pardons and Paroles.

"I said I doubted seriously he would be executed. I meant that it may be 10 to 12 years before the sentence would be carried out," he explained.

Serious discussion has been under way in several states—including Texas—to abolish the death penalty or make it virtually impossible.

Judge Brown added that "the Supreme Court has overruled quite a few death penalty cases."

He said he had made no decision on whether to leave the Jack Ruby case voluntarily or testify at a disqualification hearing requested by Ruby's attorneys.

They question Judge Brown's conduct during the Ruby murder trial and claim that a book he is writing would affect his judgment.

Judge Louis Holland of Montague, who presided Monday in a hearing which ousted Joe Tonnahill of Jasper, as a Ruby attorney, said he expects a hearing on Judge Brown June 4. A sanity hearing for Ruby will probably be set in July, he said.

Judge Brown earlier told The Dallas Morning News he has received a \$5,000 advance for his book, but added that he does not consider the writing sufficient for disqualification.

Judge Holland asked Monday for a Tuesday hearing on the question of Judge Brown, but Ruby attorney, Phil Burleson of Dallas asked that the hearing be delayed until further information is gathered.

(Indicate page, name of newspaper, city and state.)

13A "The Dallas
Morning News"
Dallas, Texas

Date: 5-26-65
Edition:
Author:
Editor:
Title: Jack B. Krueger

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or
Classification:
Submitting Office: Dallas
☐ Being Investigated

FBI

EX-100
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JHE:AP

Judge Doubts That Ruby Will Ever Be Executed

DALLAS, May 25 (UPI)—The judge who presided at Jack Ruby's trial said today he doubts Ruby will die in the electric chair for murdering Lee Harvey Oswald.

Judge Joe B. Brown said

Ruby's death sentence — if higher courts uphold it — may be reduced to life imprisonment by the Board of Pardons and Pardon.

Brown said he does not believe the public favors the execution of Ruby.

"After all, we are talking about a man who killed the man who assassinated President Kennedy," he said.

Today District Judge Louis Holland of Montague, Tex., temporarily sitting in for Brown, said he will hold a hearing the week of June 7 to determine whether Judge Brown disqualified himself from a sanity trial for Ruby by contracting to write a book about the murder trial.

Ruby, a surprise witness at a hearing yesterday involving a conflict over his attorneys, testified that he knew it was "a lost cause for me to try and save myself."

(Ruby's rambling monologue touched on these points, Associated Press reported:

(Ruby repeatedly referred to "one of the most bizarre conspiracies in the history of the world" to link him to Oswald. "I walked into a trap when I walked down that ramp (into the City Hall basement where he shot Oswald). I know I am going to die a horrible death."

(At another point he said, "I shouldn't have tried to play the part of a hero. My background wasn't clean enough

("To the American people and the world... I'm going to be branded a part of a conspiracy with Oswald. "You're going to forget how I felt about the beloved President Kennedy.")

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46 JUN 22 1965

Ruby Says Pills Made Him 'High' Day He Shot Oswald

By The Associated Press
DALLAS.

Jack Ruby declared yesterday that he had taken numerous pills—"they stimulate you"—shortly before he gunned down Presidential assassin Leo Harvey Oswald.

He made the admission—the first such revelation—at a court hearing during which his veteran counsel, Joe Tonahill, was removed from Ruby's forthcoming hearing.

Judge Louis T. Holland of Montague, Tex., ruled that Mr. Tonahill should be removed as Ruby's counsel for the sanity hearing. After that, said the visiting judge, the question of Ruby's representation will be decided by the Texas Court of Criminal Appeals.

Judge Holland also said he would hold a hearing today on whether Judge Joe B. Brown, who presided at the original Ruby murder trial, should be disqualified from presiding at the sanity hearing.

But the sensation of the trial was Ruby's fresh testimony that he took pills which "make you want to do positive things" before gunning Oswald to death and that he fears there will be an attempt in future years to link him as a conspirator with Oswald against President Kennedy's life.

CONSPIRACY

"To the American people and the world . . . I'm going to be branded a part of a conspiracy with Oswald," he declared in an emotional courtroom scene.

"You're going to forget how I felt about the beloved President Kennedy. There has been so much torment, so much hardship . . ."

The Warren Commission sought for months to determine if a conspiracy existed between Ruby and Oswald but found none.

Ruby, in his sometimes rambling discourse, appeared to have given up hope of escaping the death penalty.

GIVES UP HOPE FOR HIS LIFE

"I know that I am a lost cause as far as saving my life . . . don't believe Joe Tonahill (one of his original trial lawyers) . . . I know there is a whole conspiracy behind it."

TOOK PILLS

He said that after getting up the day he killed Oswald he took 30 antibiotic pills and some other pills that "stimulate you and make you want to do positive things."

This was the first time Ruby had referred to taking any pills that morning.

"I walked into a trap when I walked down the ramp into the City Hall basement where he shot Oswald. I know I am going to die a horrible death (in the electric chair)."

Yesterday's hearing was called to determine which set of lawyers will represent Ruby at his sanity hearing and in any further appeals procedures.

Ruby, when he talked about matters pertinent to the hearing, declared he would have been better off had he dismissed his attorneys and thrown himself on the mercy of the court.

Until he arose in court, Ruby, his jail pallor very evident, had seemed a disinterested spectator.

"I'd have done better if I'd thrown myself at the mercy of the court without (Melvin) Belli and Tonahill and Phil Burleson," he said.

The hearing was called to determine whether Mr. Tonahill should be ousted from the case as sought by the Ruby family and Ruby himself. Mr. Tonahill claims that Ruby signed a valid contract making him his attorney while the

defendant was sane, and that Ruby since has become insane and is incompetent to determine whom his counsel will be.

SNEAK PICTURES

"When Joe Tonahill and Melvin Belli were in my cell (after his conviction)," said Ruby, "they were like two little snakes sneaking pictures of me."

The pictures Mr. Tonahill and Mr. Belli are alleged to have taken have figured in charges and counter-charges that each set of attorneys sought to capitalize financially on the Ruby case. The family claimed that Mr. Tonahill sought to sell the jail pictures to a magazine.

Ruby, looking directly at the judge, asserted of that chaotic Sunday morning when he killed Oswald, "I shouldn't have tried to play the part of a hero."

Then the former girlie show-night club operator added: "My background wasn't clean enough to play the part of a hero."

Mr. Belli was discharged shortly after Ruby was convicted. Phil Burleson, the third member of the original defense team, is still on the case and apparently with the approval of the Ruby family.

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Associated Press wirephoto

AT SANITY HEARING—Jack Ruby, convicted slayer of Presidential assassin Lee Harvey Oswald, is surrounded by sheriff's deputies as he was led to Dallas hearing.

FERKELL

STATION

Ruby Requests Permission to Dump Tonahill

Dallas, Tex., May 24 (AP)—
Jack Ruby, convicted of slaying
President's Kennedy's assassin,
said today he does not want his
veteran lawyer, Joe Tonahill, to
represent him.

Ruby defended the attempt of
sol Dann of Detroit to take over



Jack Ruby
Wants a New Lawyer

his defense against the wishes of
Tonahill.

He said one reason he wished
Tonahill removed was because
Tonahill took a picture of him in
his jail cell after his conviction
and, said Ruby, tried to sell it.

The defendant, sentenced to die
in the electric chair for killing
Lee Harvey Oswald, appeared
much the same as he did March
14, 1964, when he was convicted
and sentenced except that the jail
pallor was pronounced.

Oswald killed Kennedy in No-
vember, 1963.

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46 JUN 22 1965

MAY 25 1965

RUBY TESTIFIES TO TAKING PILLS

Tells Hearing About Actions
Before He Shot Oswald

DALLAS, May 24 (AP)—Jack L. Ruby, who killed President Kennedy's assassin, declared today that he had taken numerous pills—"they stimulate you"—shortly before he shot Lee Harvey Oswald.

He made the admission—the first such revelation—at a court hearing during which his council, Joe Tonahill, was removed from Ruby's forthcoming sanity hearing.

Judge Louis T. Holland of Montague, Tex., ruled that Mr. Tonahill should be removed as Ruby's counsel for the sanity hearing.

After that, said the visiting judge, the question of Ruby's representation will be decided by the Texas Court of Criminal Appeals.

Judge Holland also said he would hold a hearing tomorrow on whether Judge Joe B. Brown, who presided at the original Ruby murder trial, should be disqualified from presiding at the sanity hearing.

Ruby's fresh testimony that he took pills which "make you want to do positive things" before shooting Oswald to death, and that he feared there would be an attempt in future years to link him as a conspirator with Oswald against President Kennedy's life caused a stir at the hearing.

An Emotional Scene

"To the American people and the world I'm going to be branded a part of a conspiracy with Oswald," he declared in an emotional courtroom scene.

"You're going to forget how I felt about the beloved President Kennedy. There has been so much torment, so much hardship," he said.

The Warren Commission sought for months to determine if a conspiracy existed between Ruby and Oswald but found

his sometimes rambling tale. Ruby appeared to give up hope of escaping the electric chair.

now that I am a lost soul as far as saving my life," said. Don't believe Joe

Tonahill. I know there is a whole conspiracy behind it. He testified to waking up Sunday morning, Nov. 24, 1963, and brooding about the fact that the Kennedy children were fatherless.

"What quirked me after that I don't know," Ruby said. "As God is my judge, that is the truth."

Ruby said that after getting up the day he killed Oswald he took 30 antibiotic pills and some other pills that "stimulate you and make you want to do positive things." This was the first time he had referred to taking any pills that morning.

"I walked into a trap when I walked down that ramp [into the city hall basement where he shot Oswald]. I know I am going to die a horrible death."

Two Sets of Lawyers

Today's hearing was called to determine which set of lawyers would represent Ruby at his sanity hearing and in any further appeals procedures.

When he talked about matters pertinent to the hearing, Ruby declared he would have been better off had he dismissed his attorneys and thrown himself on the mercy of the court.

"I'd have done better if I'd thrown myself at the mercy of the court without [Melvin] Belli and Tonahill and Phil Burleson," he said.

Ruby and his family had sought to have Mr. Tonahill removed from the case. Mr. Tonahill contends that Ruby signed a valid contract and that Ruby since has become insane and is incompetent to determine who his counsel will be.

"When Joe Tonahill and Melvin Belli were in my cell," Ruby said, "they were like two little snakes sneaking pictures of me."

Cries Role of Hero

The pictures Mr. Tonahill and Mr. Belli are alleged to have taken have figured in charges and counter-charges that each set of attorneys sought to capitalize financially on the case.

The family says Mr. Tonahill sought to sell the jail pictures to a magazine.

Ruby, looking directly at the judge, asserted of that chaotic Sunday morning when he killed Oswald.

"I shouldn't have tried to play the part of a hero."

Then the former night club operator added:

"My background wasn't clean enough to play the part of a hero."

Mr. Belli was discharged shortly after Ruby was convicted. Mr. Burleson, the third member of the original defense

team, is still on the case, apparently with the approval of the Ruby family.

Ruby declared that Mr. Tonahill did not have his interests at heart. He said he did not want him as counsel and that Mr. Tonahill had not visited him in three or four months.

Ruby asked the lawyers to question him, but Mr. Tonahill commented that it would be "cruel and inhuman to question this man."

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JUN 25 1965

JUN 22 1965

Set Ruby Sanify Trial Date Today

DALLAS, May 25 (UPI).—Jack Ruby, who said yesterday he knew it was "a lost cause for me to try to save myself," appears in court once again today to hear a date set for his sanity trial.

"If I am an insane person, then the rest of the world is crazy," the pale, thin Ruby said yesterday.

Ruby's appraisal of his condition and fate came during the latest of a series of legal entanglements that have grown from the shooting of presidential assassin Lee Harvey Oswald.

Yesterday's chapter dealt with whether or not Ruby should have a sanity trial and who should represent the condemned slayer in his attempts to escape the Texas electric chair.

Visiting Judge Louis T. Holland, of Montague, Tex., sitting in for trial Judge Joe B. Brown, ruled that Ruby should have a sanity trial.

GROUND COVERED

Judge Holland also complied with the wishes of Ruby and his family and dismissed Joe H. Tonahill from the case, at least temporarily.

If Ruby is later found sane, Mr. Tonahill could appeal Judge Holland's decision and try to get back on the Ruby defense team.



JACK RUBY

Wirephoto from AP

Until then, Ruby's defense will be handled by his family's lawyers, Sol Dan of Detroit and William Kunstler of New York.

Judge Holland will announce a date for the sanity trial today.

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Ruby Tells Court of Taking Pills Before Shooting of Oswald

DALLAS—Jack Ruby told a Dallas Court yesterday that he had taken about 30 antibiotic pills and some other pills that "stimulate you and make you want to do positive things" shortly before he shot Lee Harvey Oswald in the basement of Dallas police headquarters.

Ruby spoke at a court hearing during which visiting Judge Louis T. Holland of Montague, Tex., ruled that Joe Tonahill should be removed as defense counsel at Ruby's sanity hearing. Ruby's family had asked for Tonahill's dismissal.

In a somewhat rambling discourse, Ruby said he is not insane and appeared to have given up hope of escaping the electric chair. "I know I am a lost cause as far as saving my life," he said. Judge Holland indicated the sanity hearing would be set for some time in July.

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 Date 5/25/65

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 46 JUN 8 1965

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Ruby's Execution Doubted by Judge

Brown Sees Slayer's Sentence Being Commuted to Life Term

By JIM FEATHERSTON
Staff Writer

Dist. Judge Joe B. Brown predicted Tuesday that Jack Ruby will never die in the electric chair, and a visiting judge said he plans a hearing next week to decide whether Judge Brown should be taken off the case.

Judge Brown said he believed Ruby's death sentence, if affirmed by higher courts, would eventually be commuted by the Board of Pardons and Poles to a life sentence.

The judge who tried the Ruby case told The Times Herald his views when asked about a report that he would ask that Ruby's sentence be commuted.

DENIES PLANS

He emphatically denied he had any plans to recommend that the sentence be changed. He did say he believed the sentence eventually would be reduced to life. He said he did not feel that public opinion favored the execution of Ruby.

"After all, we are talking about a man who killed the man who assassinated President Kennedy," he said.

Meanwhile, the visiting judge who heard the arguments over Ruby's attorneys Monday said he plans a hearing next week to decide if Judge Brown should be taken off the case.

Montague Judge Louis T. Holland removed Jasper attorney Joe Tonahill from the case Monday after a one-day hearing during which Ruby himself delivered a

rambling, 45-minute discourse, which was sometimes contradictory.

WROTE BOOK

Judge Brown said Tuesday he would welcome the opportunity to testify at the hearing on his qualifications. Defense attorneys contend he should step down because he has accepted money for writing a book about the case and because of his conduct of the trial.

The judge says he is in the process of writing the book, for which he has received a \$5,000 advance. He said he wanted to explain why he is writing the book.

"I want to clear up the distortion, the exaggeration and the untruths which have been printed about the Jack Ruby trial," he said.

Judge Holland said the hearing probably will be held June 4 on the effort to disqualify Judge Brown.

Ruby, apparently without prompting, rose from his chair near the close of Monday's hearing and asked permission to testify. He denounced Mr. Tonahill

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"The Dallas
Times-Herald"
Dallas, Texas

Date: 5-25-65
Edition:
Author:
Editor: Felix R. McKnight
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Character:
or
Classification:
Submitting Office: Dallas
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He ~~denied~~ vehemently that he had any intention ~~of joining~~ Or-

Tonahill's removal leaves William Kunstler of New York and

tripit, Elmer Gertz of Chicago and Phil Burleson of Dallas as Ruby's attorneys. _____

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Joe Tonahill Dismissed as Ruby's Counsel

Slayer Testifies Against Attorney, Denies Insanity

By JOHN GEDDIE

Veteran attorney Joe Tonahill was dismissed Monday as counsel for Jack Ruby after a long, heated hearing in which Ruby testified against him.

Ruby, who called attempts to save his life a "lost cause," claimed during voluntary testimony that his reactions were apparently stimulated by numerous pills taken the morning he shot Lee Harvey Oswald in the basement of City Hall.

Ruby insisted that he is sane and predicted history will erroneously link him in a conspiracy to kill the late President Kennedy.

Dist. Judge Louis Holland of Montague

complimented Tonahill in his representation of Ruby, but told him Ruby is presumed sane until a jury finds him insane, and he has a right to select his own attorneys.

TONAHILL, the Jasper lawyer, said he planned to ask the State Court of Criminal Appeals to allow him to re-enter the case when it returns to Austin. Judge Holland did not oust him from that capacity and said the matter would be left to appeals judges.

A motion to disqualify Dist. Judge Joe B. Brown, who presided at Ruby's murder trial, will be heard in a week or two, Judge Holland said. The Ruby sanity trial is expected in July.

Judge Brown testified earlier in the hearing he would not have appointed Tonahill had he seen an affidavit against Tonahill from Ruby and his family filed with a motion March 8. Judge Brown overruled the motion as "premature" and admitted Monday he did not read the affidavit.

RUBY'S TESTIMONY came after he rose, stopped proceedings and asked to take the stand. "If I'm an insane person at the moment," he said, "then the rest of the world is crazy."

He said he took 30 antibiotic pills and some other pills that "stimulate you" before he entered the City Hall basement.

"I should have never tried to be heroic," he said. "I wasn't clean enough. I had been to Cuba . . . I know I'm going to die a horrible death."

RUBY SAID he was invited by a friend for a few days in Cuba. This friend later called him and asked another man to send him four pistols to Cuba, he said.

This act, he said, "was the blowup of Jack Ruby." He said his name will be linked to a conspiracy.

"All I did was relay a call," he said.



—Dallas News Staff Photo.

Joe Tonahill . . . as he leaves the courtroom after being dismissed as Ruby's attorney.

Mr. Tolson
Mr. Belmont
Mr. Mohr
Mr. DeLoach
Mr. Casper
Mr. Callahan
Mr. Conrad
Mr. Felt
Mr. Gale
Mr. Rosen
Mr. Sullivan
Mr. Tavel
Mr. Trotter
Tele. Room
Miss Holmes
Miss Gandy

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"The Dallas
Morning News"
Dallas, Texas

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Title: Jack B. Krueger

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WORDS TAPED

Eavesdrop Plot Claimed by Ruby

By DARWIN PAYNE
Staff Writer

A jail guard who gained Jack Ruby's confidence used hidden electronic devices to record conversations with him, the convicted killer has charged.

Sheriff Bill Decker Tuesday denied the allegation.

"Unbeknownst to me, this man was equipped with every type of modern equipment to record everything stated whether you are a mile or 10 feet away," said Ruby during his rambling discourse on the stand Monday.

"Unfortunately for me, I had been placed with a wonderful and charming guard to look after me," Ruby said. "It was conspiracy to gain information through me. I didn't realize this until later when

Belli told me this was an old game—they give you the Bible routine." He said the guard discussed religion and the Bible with him to gain his confidence.

Ruby said he told the guard many confidential things, such as how he became involved in the tragedy and why he was "so suddenly carried away."

"All these things were being transcribed in another part of this particular building."

At one point during his 45-minute talk, Ruby noticed Judge Louis Holland gazing toward the ceiling.

"I hope it doesn't bore you, but this is history being made at this moment, your honor," said Ruby.

When Ruby asked attorney Joe Topahill to question him, the Jasper lawyer replied: "I think it would be cruel and inhuman to question him, your honor."

"It's strange, I can remember everything told me and I can remember everything from Sunday morning when I read that article, one about 16 or so inches long. It was a letter addressed to Caroline about how she was going to get along without her dad," said Ruby, appearing to be near tears for the only time during his testimony. "Alongside it was a one- or two-inch item stating Mrs. Kennedy may have to come back for a trial in Dallas, Tex.," he continued.

"What quirked me from then, I will never know the answer. That is the truth, so help me God," he said.

(Indicate page, name of newspaper, city and state.)

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"The Dallas
Times-Herald"
Dallas, Texas

Date:

5-25-65

Edition:

Author:

Editor:

Title:

Felix R. McKnight

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Submitting Office: Dallas

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66 JUN 18 1965

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Ruby Snapshots, Film Data Bared

Snapshots of Jack Ruby by a concealed camera and plans for a movie emphasizing the "atmosphere, the prejudice, the bigotry" of Dallas were revealed in the Jack Ruby hearing Monday.

Earl Ruby, brother of the condemned man, testified he stopped a check to former Ruby attorney Melvin Belli after he discovered pictures were sent to Life magazine.

"We called Life and got them back," Earl Ruby said.

Tonahill said copies were turned over to Sheriff Bill Decker.

JACK RUBY charged later in the hearing that Belli and Joe Tonahill, dismissed from the case, took the pictures with "a little camouflaged camera."

"They were sneaking pictures of me," Ruby said. "I was in a delirious mood . . . being just received an electric chair sentence."

A letter entered into evidence to "Mel and Joe" told of the movie plans. The California writer said "all of the major distributors have turned us down for the same reason. They are frightened to death about the Texas business, and the possible boycott of their future films in Texas."

"The film should be opened at one of the art houses in New York. If we get a good critique, we can write our own ticket from there on in. If we bomb, then we'll have to make the best of it somehow."

THE WRITER suggested the name "The Three Assassinations

of Dallas" and said it "would definitely put the city on the spot."

"The film should definitely have a controversial and provocative ring to it. Critics will like this, so will the box office, even if they do not agree with it. If it's bland, who cares?"

Tonahill replied after the letter was introduced into evidence that he and the letter writer "had two different things in mind."

Tonahill's idea, he said, was to make a movie on the trial to aid law students and schools. He introduced two letters to the California man stating that the picture would be a benefit to students, but apparently no interest could be found.

THE IDEA "fell through," he said. Tonahill said he would not agree to a sensational film on Dallas and the Ruby trial.

In an April 27, 1964, letter to Tonahill, the writer said he had found "a party who will put up the monies necessary to finish the film, as well as to promote it. This will be in excess of \$65,000. For this we will have to give up 25 per cent. This is the best I can do."

"By the pictures that were burned, you mean the stills you took of Ruby in the jail? Did you also burn the negatives?" he asked.

Another plan was revealed when Earl Ruby admitted he was paid for a story which appeared in a Houston newspaper.

Earl Ruby also admitted he considered hiring a public relations man to handle Jack Ruby's "image" but denied the man would aid in the appeal case. He also denied Tonahill charges that Sol Dann wanted to incorporate Ruby.

ATTORNEY Clayton Fowler, who served briefly as a Ruby lawyer, testified that Dann planned to form a corporation with two as officers. Dann's plans for commercialization, he said, led to "violent arguments" before Fowler resigned.

Earl Ruby was asked by Tonahill if he had a financial interest in a collector's coin with President Kennedy on one side and Jack Ruby on the other. Ruby said he knew nothing about the minting, and disclaimed an interest, but said he owned one of the coins.

(Indicate page, name of newspaper, city and state.)

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"The Dallas
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170 JUN 17 1965

(Mount Clipping in Space Below)

Tempers Explode In Ruby Hearing

By JIM FEATHERSTON
and DAKWIN PAYNE
Staff Writers

Charges that the Ruby family and attorneys have sought financial gain through the plight of condemned killer Jack Ruby were hurled back and forth in a Dallas Criminal District Court Monday.

The pale, thinning killer of Lee Harvey Oswald — insane in his brother's opinion — sat quietly during the hearing before visiting Judge Louis Holland of Montague.

The hearing will determine if Jasper lawyer Joe Tonahill stays in the case.

Ruby's brother, Earl Ruby, who testified he believes Jack Ruby is now insane, accused attorney Tonahill and former defense lawyer Melvin Belli of making \$55,000 from a movie made during the murder trial.

"That's an absolute lie," countered Mr. Tonahill.

Mr. Tonahill said such a movie was made but it was a "complete failure." He said it was meant to be an educational film to be shown law students and bar associations.

The Jasper lawyer countered with charges that the Ruby family and out of state lawyer Sol Dann tried to set up a corporation to commercialize on Ruby.

Mr. Tonahill cited a coin which he said depicts the slain President John F. Kennedy cradled in his wife's arms on one side and an illustration on the other side of Ruby shooting Lee Harvey Oswald.

"That's made over in Europe. I understand," said Earl Ruby.

The slayer's brother said he had not made money from Jack Ruby's trouble.

"I have laid out of my own pocket \$15,000, and you can't call that gain," he said.

Earl Ruby said the family fired attorney Belli and Belli in turn told Mr. Tonahill to withdraw.

Asked if he stopped payment of \$3,000 to Mr. Belli following the trial, Earl Ruby replied:

"Yes, but that was after I learned you and Mr. Belli went up there and took pictures of my brother and sold them to Life magazine."

Earl Ruby conceded the family made "many thousands of dollars"

from a series of newspaper articles about their brother. But he said the money went to pay defense costs.

The Detroit man said he felt Ruby is now insane — but that he was sane at the time he signed an affidavit that he no longer wanted Mr. Tonahill on his defense team.

Mr. Tonahill contends that Ruby is insane and not qualified to judge who should defend him.

The family wants Mr. Tonahill out of the case and Jack Ruby's appeals handled by the New York firm of Kunstler, Kunstler & Kinney, Mr. Dann of Detroit, and Elmer Getz of Chicago.

"Would you consider that this

Mr. Tolson _____
Mr. Belmont _____
Mr. Mohr _____
Mr. DeLoach _____
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Mr. Holloman _____
Miss Gandy _____

(Indicate page, name of newspaper, city and state.)

1
"The Dallas
Times-Herald"
Dallas, Texas

Date: 5-24-65
Edition:
Author:
Editor:
Title: Felix R. McKnight

Character:
or
Classification:
Submitting Office: Dallas
☐ Being Investigated

170
170
170

low firm (Kunstler, Kunstler & Kinney) would be detrimental to your brother's public image?" asked Mr. Tonahill, referring to the firm's reported past representation of persons accused of communist ties.

A hurried objection to the question by Mr. Burleson was sustained by Judge Holland.

DATA INTRODUCED

But the judge allowed in the record a copy of the Congressional Record containing a speech by Sen. James Eastland of Mississippi about the law firm's alleged past clients.

Mr. Tonahill then introduced several documents in evidence relating to the hiring of Hubert Winston Smith of the University of Texas as chief counsel, medical reports dealing with Ruby's alleged insanity, and past court proceedings in the case.

But many of his questions to Earl Ruby about the documents were overruled by the judge after objections from both Mr. Burleson and the state.

"Your honor, we don't object to any of these paper being introduced but we object to the witness or Mr. Tonahill interpreting them," Mr. Wade said.

DUAL OBJECTIONS

Mr. Tonahill, alternately wearing his spectacles far down on his nose or high on his head, protested objections coming both from the state and the Burleson defense team.

"I would like for them (the state) to state whether they want me in the case or not," Mr. Tonahill said. "The only conclusion I can come to since they are objecting is that they don't want me in the case."

Mr. Wade replied the state had no objection to any lawyer chosen to represent Ruby, as long as he was "competent."

During the hearing Judge Joe B. Brown—who had asked to be replaced at the hearing—sat near

the front of the courtroom, 30 feet from the visiting judge.

As he was led to the courtroom by heavily armed sheriff's deputies, Ruby told a reporter he wanted to be represented by the lawyers selected by his family.

Prior to the hearing, Mr. Tonahill said he was confident he would remain on the defense team despite efforts by the Ruby family to oust him.

"The law is with me 100 per cent," said Mr. Tonahill.

Should Judge Holland rule against him, however, Mr. Tonahill said he would appeal the decision to either the Texas Court of Criminal Appeals or to federal courts.

Ruby has signed an affidavit asking Mr. Tonahill's removal, but the Jasper attorney claims Ruby is insane and unable to make such a decision.

Mr. Tonahill said he also hoped to have Judge Holland rule on whether Judge Brown should be permanently disqualified from the case. The Jasper lawyer contends Judge Brown has written a book about the case and therefore has a conflict of interest.

Judge Holland, however, was expected to limit Monday's hearing to the selection of lawyers for Ruby. But he may rule on a change of venue motion for a sanity hearing.

Judge Brown asked to be removed from the case temporarily in order that a visiting judge might hear some of the defense motions. District Judge Dallas Blankenship, who presides over the first judicial administrative district, then appointed Judge Holland to hear the motions.

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 46 JUN 8 1965

JUN 8 1965

Washington Capital News Service

Brother Says He Thinks Jack Ruby Is Insane

DALLAS (AP)—Earl Ruby of Detroit testified today that he believes his brother, Jack Ruby, slayer of President Kennedy's assassin, is insane.

The Detroit man was the first witness at a hearing to determine who will be the lawyers for the man who killed Lee Harvey Oswald.

The question of insanity is a key one in the struggle between the lawyers since Jack Ruby's original attorneys contend the defendant cannot fire them because he is mentally unsound.

Cross-Examined by Lawyer

Earl Ruby made the statement on his brother's mental condition under cross-examination by Joe Tonahill, whom the family is seeking to oust from the appeal maneuvering.

Earl Ruby testified that neither the Ruby family nor Jack Ruby employed Tonahill. He said the Jasper, Tex., lawyer was hired by Melvin Belli, chief of the defense for the murder trial in February and March last year.

Belli was fired from the case. Jack Ruby is under death sentence, but has appealed, and a sanity hearing has been ordered by the Texas Court of Criminal Appeals.

May Rule on Motion

Among witnesses sworn for today's hearing by Judge Louis F. Holland were Judge Joe B. Brown, who presided at the murder trial, and Dist. Atty. Henry Wade, who prosecuted Ruby.

Judge Holland of Montague, Tex., sitting for Judge Brown, said he may rule on a motion to disqualify Judge Brown from further participation in the case and whether to hold the sanity hearing outside Dallas.

Judge Brown temporarily stepped out of the case and Judge Holland was appointed.

Two groups of attorneys seek to represent Ruby.

On one side is Tonahill, member of Ruby's original defense team. Opposing him is a group of out-of-state lawyers appointed by the Ruby family. These include the firm of Kunstler, Kunstler and Kinoy of New York, Sol Dann of Detroit and Elmer Gertz of Chicago.

Brought to Hearing

Ruby, heavily guarded as usual, was brought down on an elevator from the jail a half hour before the hearing began.

A newsman asked him which lawyers he preferred, and Ruby replied, "The lawyers my family are getting for me." This would be the Kunstler-Dann-Gertz group.

Ruby was dressed in a dark suit and white tie and appeared much the same as in his murder trial last year.

Tonahill contends Ruby signed a contract with him. He says Ruby was sane at the time, but has since become insane and thus not legally competent to break a contract for counsel. He also noted that Judge Brown appointed him and Dallas attorney Phil Burleson to represent Ruby.

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The Washington Post and Times Herald _____
The Washington Daily News _____
The Evening Star _____
New York Herald Tribune _____
New York Journal-American _____
New York Daily News _____
New York Post _____
The New York Times _____
The Baltimore Sun _____
The Worker _____
The New Leader _____
The Wall Street Journal _____
The National Observer _____
People's World _____
Date _____

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46 JUN 8 1965

66 JUN 8 1965

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Wash. Capital News Service

UPI A35N DA

NIGHT LEAD RUBY

DALLAS, MAY 23 (UPI)--A VISITING JUDGE FROM A SMALL NORTH TEXAS TOWN WILL HEAR COMPLEX LEGAL ARGUMENTS TOMORROW IN THE LATEST EFFORT BY CONVICTED MURDERER JACK RUBY TO ESCAPE THE ELECTRIC CHAIR.

DIST. JUDGE LOUIS T. HOLLAND OF MONTAGUE, TEX., POPULATION 284, WILL SIT IN THE COURT OF DALLAS JUDGE JOE B. BROWN, WHO PRESIDED A YEAR AGO AT RUBY'S TRIAL FOR SLAYING PRESIDENTIAL ASSASSIN LEE HARVEY OSWALD.

TO BE DECIDED FIRST IS THE QUESTION OF WHAT LAWYERS ARE TO REPRESENT RUBY, NOW 34 AND IN DALLAS COUNTY JAIL, IN A POSSIBLE SANITY HEARING AND FURTHER APPEALS THAT ARE EXPECTED TO TAKE A LENGTHY ROUTE THROUGH STATE AND FEDERAL COURTS.

RUBY'S FAMILY WANTS TO GET RID OF ATTORNEY J. M. TONAHILL OF JASPER, TEX. HE HAS REPRESENTED RUBY LONGER THAN ANY OTHER LAWYER IN THE CASE, AND TEAMED WITH MELVIN BELLI OF SAN FRANCISCO AT THE TRIAL.

INSTEAD, RUBY'S FAMILY WANTS THE NEW YORK LAW FIRM OF KUNSTLER, KUNSTLER & KINOY, ALONG WITH SOL DANN OF DETROIT AND ELMER GERTZ OF CHICAGO TO HANDLE THE CASE. REMAINING IN THE CASE IS A DALLAS APPEALS SPECIALIST, PHIL BURLESON.

TONAHILL HAS INSISTED ON STAYING IN THE CASE, TOO. HE CONTENTS RUBY HIRED HIM, AND HAS SINCE BECOME TOO MENTALLY CONFUSED TO BE ABLE TO SELECT HIS OWN COUNSEL.

TONAHILL SAID HE NOT ONLY PLANS TO FIGHT TO KEEP RUBY AS HIS CLIENT, BUT ALSO HE INTENDS TO TRY TO HAVE JUDGE BROWN

PERMANENTLY TAKEN OFF THE CASE. HE SAID BROWN SHOULD BE REMOVED BECAUSE HE IS WRITING A BOOK ABOUT THE CASE AND TRIAL, FROM WHICH THE JUDGE WILL PROFIT.

TONAHILL CONTENTS THIS IS CLEARLY A CONFLICT OF INTEREST

RUBY'S DEFENSE ATTORNEYS HAVE BEEN CRITICAL OF BROWN SINCE THE TRIAL OPENED AND HE REFUSED A CHANGE OF VENUE FROM DALLAS TO ANOTHER CITY. OF RUBY'S LAWYERS BEFORE HE TACKLES ANY OTHER MATTER. THEN THE

VISITING JUDGE, IN DALLAS FOR SEVERAL WEEKS WHILE BROWN WAS ON VACATION, MAY TAKE UP A CHANGE OF VENUE MOTION TO MOVE A SANITY HEARING TO ANOTHER CITY.

"I CERTAINLY THINK THE FIRST ORDER OF BUSINESS SHOULD BE THIS: WHO SHOULD BE COUNSEL FOR MR. RUBY?" HOLLAND SAID.

RUBY IS APPEALING HIS DEATH SENTENCE. THE TEXAS COURT OF CRIMINAL APPEALS HAS REFUSED TO HEAR THE CAUSE UNTIL THE QUESTIONS OF HIS ATTORNEYS AND SANITY ARE CLEARED.

NOT RECORDED

JUN 8 1965

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UPI-174

(RUBY)

DALLAS--AN ATTORNEY FOR CONDEMNED KILLER JACK RUBY HAS FILED NOTICE HE WILL QUESTION A BOOK EDITOR ABOUT A BOOK BEING WRITTEN BY THE JUDGE WHO SENTENCED RUBY TO DIE FOR THE SLAYING OF PRESIDENTIAL ASSASSIN LEE HARVEY OSWALD.

JUDGE JOE B. BROWN TOLD THE DALLAS NEWS MONDAY HE HAS RECEIVED A \$5,000 ADVANCE FOR THE BOOK, TENTATIVELY ENTITLED, "RUBY, DALLAS AND THE LAW" FROM PUBLISHERS HOLT, RINEHART & WINSTON, INC., OF NEW YORK CITY.

MATERIAL CONCERNING THE BOOK WAS SUBPOENAED BY RUBY DEFENSE LAWYER PHIL BURLESON OF DALLAS. HE WILL USE IT AT HEARING MAY 24 ON A MOTION TO DISQUALIFY JUDGE BROWN FROM HEARING FURTHER ASPECTS OF THE RUBY CASE.

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44-24016
 NOT RECORDED
 46 MAY 24 1965

50 MAY 24

207 WASHINGTON CAPITAL NEWS SERVICE

(Mount Clipping in Space Below)

Ruby Attorneys Ask Halt to State Action

Attorneys for Jack Ruby State Court of criminal Appeals claimed in a document received in Austin, no other legal paths are here Wednesday that the U.S. open.

Fifth Circuit Court of Appeals now Ruby attorney Sam Houston has reason to halt Ruby's legal Clinton of Austin failed April 29 proceedings in state court.

The attorneys again requested relief with the Austin court. The new application uses many of the same allegations included in the original federal appeals motion and the motion for relief that of U.S. Dist. Judge T. Whitfield Davidson of Dallas returning the case to state court.

The federal appeals court denied a similar stay request April 23 in Jacksonville, Fla. The motions included requests for a change of venue, disqualification of Judge Brown and questions about who actually represents Ruby. In answering the allegations in the Florida hearing, state's attorneys indicated that the matter would be settled in state court and claimed that federal intervention was not necessary.

The new application was filed with the Fifth Circuit clerk in New Orleans and claimed that since a recent setback by the

The Dallas News learned last week that Judge Brown had considered remedying the claims by withdrawing his denials of the motions and setting hearings. He apparently decided not to withdraw his rulings.

Ruby attorneys claim that since Judge Brown did not withdraw the denials and the State Court of Criminal Appeals refused to order hearings, all state action should be stopped.

Judge Brown, who again has jurisdiction, has not set a date for sanity trial proceedings. He said Wednesday that he plans to study the request before taking any action.

The application was filed Tuesday by Bruce C. Walizer of New Orleans for himself, the firm of Kuntzler, Kuntzler and Kimmy of New Orleans and Clinton. Copies were sent to Dallas officials.

(Indicate page, name of newspaper, city and state.)

6 "The Dallas
Morning News"
Dallas, Texas

Date:

Edition:

Author:

Editor:

Title:

Jack B. Krueger

Character:

on:

Classification:

Submitting Office:

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Being Investigated

Dallas

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Ruby Sanity Hearing Delay Plea Opposed

WASHINGTON AP—A New York attorney said Saturday he will recommend that the United States Supreme Court be asked to delay a sanity hearing for Jack Ruby in Texas courts.

He had indicated a decision would be forthcoming Saturday on whether to appeal a decision by the U.S. Fifth Circuit Court of Appeals by Jacksonville, Fla., Friday refusing to delay the sanity hearing.

Ruby is under a death sentence for conviction of murdering Lee Harvey Oswald, accused assassin of President John F. Kennedy. Hunstler, one of several attorneys involved in the case, said his recommendation on the sanity hearing issue would be made to Ruby's family.

He said he will also recommend that an appeal be filed in the Texas Court of Criminal Appeals to grant Ruby his own choice of attorneys, and asking that Judge Joe B. Brown of the Dallas County Criminal Courts be disqualified from handling the case.

Ruby's pending sanity hearing is presently before Brown. So is the issue of whether it should be removed to federal court jurisdiction.

(Indicate page, name of newspaper, city and state.)

324

"The Dallas
Times-Herald"
Dallas, Texas

Date: 4-25-65

Edition:

Author:

Editor: Felix R. McKnight

Title:

Character:

or

Classification:

Submitting Office: Dallas

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(Mount Clipping in Space Below)

Ruby Case Under Study By New York Group

A well-known trial lawyer from New York, Robert Daru, has been in Dallas for several days delving into various aspects of last year's Jack Ruby murder case.

Daru is counsel for the Committee on Justice of the New York Criminal and Civil courts

Bar Association, a committee that on past occasions has conducted its own investigations where justice was thought to be lacking.

He has called a press conference for Wednesday morning.

"I cannot disclose now what I will discuss Wednesday," said Daru Tuesday night, "but it will concern the Ruby trial and related matters of justice."

Daru has read much of the Ruby trial transcript and has interviewed some Dallas witnesses.

One of the most noteworthy cases in which this committee was involved was the Bertram Campbell forgery case in New York state about 12 years ago.

Campbell was found guilty and sent to prison for five years. The Committee on Justice staged its investigation, held open meetings, brought forth the real forger and forced the release of Campbell. Campbell later was reimbursed \$120,000 by the state for his 3½ years behind bars at Sing Sing on the false conviction.

Daru 30 years ago was — at 31 — the chief counsel of the Senate Rackets subcommittee. He was the author of the Lindbergh kidnapping act, which made the offense a federal one and gave the FBI a right to intercede.

Daru said he came here originally for Ruby's sanity hearing, since postponed indefinitely.

Mr. Tolson _____
Mr. Belmont _____
Mr. Mohr _____
Mr. DeLoach _____
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Mr. Conrad _____
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Mr. Gale _____
Mr. Rosen _____
Mr. Sullivan _____
Mr. Tavel _____
Mr. Trotter _____
Tele. Room _____
Mr. Holmes _____
Miss Gandy _____

(Indicate page, name of newspaper, city and state.)

2 "The Dallas
Morning News"
Dallas, Texas

Date: 5-1-65
Edition:
Author:
Editor:
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16 MAY 6 1965

56 MAY 12 1965

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Vast Legal Implications Put Spotlight on Ruby Appeal

By CARL FREUND

Austin Bureau of The News

AUSTIN, Texas—Because of the far-reaching legal implications, judges and lawyers across Texas are awaiting decisions of federal judges in the Jack Ruby murder case.

If the jurists agree with defense attorneys, they would drastically change the procedure for appealing cases after defendants are convicted in state courts.

ALTHOUGH THERE have been rare exceptions, federal courts have followed a policy of refusing to interfere with appeals while they are pending in state courts. The U.S. Supreme Court has said that, unless there is an obvious abuse of constitutional rights, defense lawyers should not go into a federal court until they have "exhausted all legal remedies" in state courts.

Ruby's appeal from his death sentence is pending in the Texas Court of Criminal Appeals. The state court has yet to hear arguments from defense lawyers who claim he did not get a fair trial when a Dallas jury convicted him of the murder of Lee Harvey Oswald, the 24-year-old Marxist accused of assassinating President Kennedy.

Even though the case is still in the state courts, Ruby's attorneys are urging the federal courts to take jurisdiction over it. They contend Judge Joe B. Brown violated Ruby's civil rights when he rejected requests that he move a sanity hearing to another county, disqualify himself and remove Joe Tonahill from the defense staff.

U.S. DIST. JUDGE T. Whitfield Davidson rejected the defense plea.

Then attorneys for the former striptease club manager turned to the U.S. Fifth Court of Appeals. They asked it to overrule Judge Davidson and, meanwhile, to bar further proceedings in the state court.

The federal appeals court has scheduled a hearing in Jacksonville, Fla., during the week of April 19.

First Assistant Dist. Atty. A. D. Jim Bowic of Dallas will argue that "chaos would result" if the federal courts adopt a policy of assuming jurisdiction over cases while they are still under consideration in state courts.

If turned down by the federal appeals court, defense attorneys could ask the U.S. Supreme Court

(Indicate page, name of newspaper, city and state.)

15 "The Dallas Morning News" Dallas, Texas

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Author:
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46 JUN 7 1965

to hear arguments. This process could take months.

MEANWHILE, RUBY'S original appeal would still be pending before the Texas Court of Criminal Appeals. But the hands of its judges would be tied as long as there was a federal court order which barred further action in the state courts.

Prosecutors across the state also ask this question:

Suppose the federal courts rejected the defense contention and cleared the way for Judge Brown to go ahead with a sanity hearing. Could defense lawyers then

object to a ruling by Judge Brown during the hearing and stall proceedings by going into the federal courts again?

Prosecutors also ask:

If the federal courts can assume jurisdiction while a case is on appeal in the state courts, couldn't the federal courts also assume jurisdiction of a case before it is tried in a state court?

SUPPOSE THE JUDGE of a state court rejected a defense request that he postpone a trial. Could defense lawyers delay the trial indefinitely by going into the federal courts?

These prosecutors note that Dallas County has sufficient money to send members of Dist. Atty. Henry Wade's staff to Jacksonville or Washington to argue before federal judges. But, they point out, many small counties would lack funds.

The Texas Court of Criminal Appeals asked Judge Brown to determine Ruby's mental condition. The court said it wanted to know whether Ruby realized what he was doing when he said he wanted Tonahill dropped from the defense staff.

Judge Brown scheduled a hearing March 29, but postponed it until he learns what position the federal appeals court will take.

(Mount Clipping in Space Below)

SANITY HEARING FOR RUBY WAITS

U.S. Appeals Court to Rule on Stay Motion

The sanity trial of Jack Ruby, scheduled for Monday before a Dallas, Tex., judge has been postponed until the United States Fifth Circuit Court of Appeals can rule on a motion filed Wednesday.

New Orleans attorney Bruce Waltzer filed a motion in the Fifth Circuit, asking a stay of the sanity hearing by District Judge Joe B. Brown until the appellate court rules on an appeal of the action of a federal judge in returning the Ruby case to the state court.

Waltzer filed the motion for the New York law firm of Kunstler, Kunstler and Kinoy and Sam Houston Clinton Jr., of Austin, Tex.

MOTION TO STAY

The motion for stay will be heard during the week of April 19 before a panel of the court sitting in Jacksonville, Fla.

Ruby was convicted in a trial before Judge Brown last year of the murder of Lee Harvey Oswald, accused assassin of President John F. Kennedy.

Minutes after the April setting was announced, Dallas officials learned that attorney Joe Tonahill of Jasper had filed

another motion in the court of District Judge Brown.

The motion, asking that he be retained as attorney for Jack Ruby, will lie unanswered until after the federal hearing on the stay motion.

CHARGES SET FORTH

The new motion by Tonahill made the following charges:

—Sol Dann negotiated with the author of "Anatomy of a Murder" to write a book about Jack Ruby.

—"Dann is aware that if Jack Ruby is executed in the electric chair at Huntsville, that Jack Ruby will be the first Jew in Texas history ever executed."

—Dann attempted to incorporate Ruby and name himself chairman of the board of directors.

—Dist. Atty. Henry Wade tried to "undermine" Ruby's confidence in Tonahill in jail cell visits and in the press.

An attached affidavit from Dr. L. J. West of Oklahoma City, signed March 7, further supported Tonahill's claims that Ruby is insane and not capable of firing the Jasper lawyer.

Dr. West, psychiatrist called in by Tonahill to examine Ruby, called Ruby a "paranoid delusional psychotic" who believes that the Dallas County jail is being patrolled by members of the John Birch Society and the Ku Klux Klan. The head of the conspiracy against Jews is President Johnson, Dr. West said Ruby told him.

(Indicate page, name of newspaper, city and state.)

PAGE " 23

THE TIMES PICAYUNE
NEW ORLEANS, LA.

Date:

3/25/65

Edition:

Author:

Editor:

Title: JACK LEON RUBY:
LEE HARVEY OSWALD, aka,
"VICTIM..DECEASED"

Character: CR

or

Classification: 44-24016

Submitting Office: H.O.

☐ Being Investigated

NOT RECORDED
18 APR 1 1965

(Mount Clipping in Space Below)

Ruby Case Returned To Brown

By JERRY RICHMOND
Staff Writer

Presiding Judge Dallas Blankenship plans to leave the Jack Ruby case in Judge J. B. Brown's court unless the judge himself asks that it be moved.

Judge Brown, who has heard the Ruby murder case thus far, said he has not considered disqualifying himself and possibly will make a statement at mid-week when he decides where to go from here.

The question of which court would get the case arose Friday when Federal Dist. Judge T. Whitfield Davidson sent the case back to state courts subject to assignment by the presiding judge.

"All the court order does," Judge Blankenship said Saturday, "is to grant a motion of the state to remand the case to Criminal District Court No. 3 (Judge Brown's court) and to me for assignment."

(Indicate page, name of newspaper, city and state.)

1 "The Dallas
Times-Herald"
Dallas, Texas

Date: 3-20-65
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Author:
Editor:
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40 JUN 7 1965

BROWN DECISION

He said the order does not say for him to assign it to any other judge.

"In other words, the order leaves it up to me to assign Judge Brown or somebody else to the case. I would permit Judge Brown to make the determination as to whether he is disqualified for health reason, heavy docket load or any other reason," the judge said.

Judge Brown said he hasn't even thought about disqualifying himself. "I have received no official word on anything yet," he said Saturday morning.

Judge Davidson heard a rambling, sometime incoherent statement from Ruby during the hearing Friday to decide whether the case should be moved to federal courts.

Attorneys who filed the petition to remove the case from state to federal court were not present at the hearing and Judge Davidson strongly rebuked an Austin civil liberties union lawyer who was not there.

RUBY TALKS

Ruby asked and was granted permission of the court to explain the year-long hassle over which lawyer was representing him. But it turned into a lengthy discourse about his motives for killing Lee Harvey Oswald, his feeling about the death sentence, and his suspicions that he is the victim of a "conspiracy" between his attorneys, his jailers and the district attorney.

Ruby stood and gestured with his right hand as he told the court, "I know I am going to die . . . I am not afraid of death . . . I will commit suicide . . . my lawyers are in a conspiracy."

His address directed at the judge lasted 35 minutes, and he often raised his voice to a shout in the small, packed courtroom

at the Post Office and Court Building.

"There is nothing in this case that takes the jurisdiction of this case from the state," Judge Davidson subsequently ruled. "To remove it I would have to hold that Dallas courts were not capable of granting this man his rights."

The original petition had claimed that Ruby's rights were denied because he was not granted an attorney of his choice.

RECENT RULINGS

Introducing evidence that Ruby had had some 18 different lawyers recognized by the court, Dist. Atty. Henry Wade, First Asst. Dist. Atty. A. D. Bowie and Chief Prosecutor William F. Alexander contended recent rulings in a pre-trial sanity hearing did not jeopardize Ruby's rights.

Judge Davidson declined to rule on which lawyers were legally representing Ruby, or which state district court should proceed with the sanity hearing.

"Judge Brown has been attacked in this proceeding," Judge Davidson said. "I will neither condemn nor exonerate Judge Brown. This case remains on the docket of the criminal district court."

But he remanded it "back to state courts subject to orders of the administrative judge presiding in that district."

In declining to decide on the issue of whether Ruby had been deprived his right to choosing his own counsel, Judge Davidson first allowed Jasper attorney Joe H. Tonahill to introduce evidence.

Tonahill's position in the case (he was appointed along with attorney Phil Burleson on March 8 to continue to represent Ruby in the appeal) was questioned in the federal petition filed by Austin attorney Sam Houston Clinton Jr., representing the Texas Civil Liberties Union.

Tonahill argued he had a legal contract from Ruby and since Ruby was now insane he was incapable of discharging him.

Ruby, who had been transferred by county officers led by Dallas County Sheriff Bill Decker from the county jail to the federal building, charged that attorney Tonahill had misstated his position in the case.

"There is a conspiracy against me . . . a combine against me," Ruby said after being recognized by the court but not sworn in or permitted to take the stand. "You are looking at a man who don't care if he goes to the chair. There is a conspiracy between the district attorney, Phil Burleson and Tonahill to convince the world that I am insane."

DESCRIBES KILLING

He described how he had gone into the basement of the police station on Nov. 24, 1963 and shot "Harvey Oswald." He explained he had not been able to get such attorneys as Percy Foreman of Houston and Fred Bruner of Dallas to represent him because of other attorneys and his family.

"This is the most tragic thing in the nation . . . I'm going to die and I don't care," he said, explaining later that he had been afraid after his death sentence on March 14, 1964, but had grown used to living under the shadow of execution.

"I never had any defense in court . . . poor Belli (Ruby's trial lawyer) meant well . . . he wouldn't take a half a loaf . . . I wanted to take the stand."

He pleaded that he had not been instructed by anyone to kill "Harvey Oswald . . . I won't say it wasn't in my mind . . ." and that only by accident had he walked down the ramp into the basement as the police led Oswald out.

"I'm going down in history as the most despicable person that ever lived," he cried, adding he had loved his country and his President and wanted to save the Kennedy family further grief. "I just happened there . . . only a few seconds made the tragic difference . . . I guess God was against me."

"MY DESTINY"

"I guess it was my destiny," Ruby said bitterly.

His attorneys, Burleson and Tonahill, said after the hearing they felt Ruby's speech in the courtroom was a tragedy and was permitted by the kindness of the judge because he (Judge Davidson) wanted to give Ruby a chance to explain his position on attorneys.

New Maneuvers Face Ruby Trial Defense

DALLAS (AP) — Further legal maneuvering was assured today in the case of Jack Ruby, presumably still in state courts and possibly before the same judge who sentenced him to die.

U.S. Dist. Judge T. Whitfield Davidson refused Friday to take jurisdiction.

Then the condemned slayer of President Kennedy's assassin rose, with the court's permission, to deliver this bitter comment on the courtroom session:

"Nothing satisfied me. So what good did it do? You can't win."

Lectures Court

Ruby made the remark during a 30-minute lecture on lawyers, conspiracies and sanity—one of his few public utterances since Nov. 24, 1963, when he shot Lee Harvey Oswald.

Lawyers for Ruby's family had asked the federal court to take jurisdiction, remove Joe Tonahill as a defense lawyer and disqualify Dist. Judge Joe B. Brown, who heard the state court murder trial, for a sanity trial.

Judge Davidson simply turned the case back to the administrator of Texas' 1st Judicial District, Judge Dallas Blankenship of Dallas, for assignment to a state court.

Decision Awaited

Blankenship said later he would let Brown decide who should preside for the sanity trial.

"If for health reasons — he's had a heart attack — or any



JACK RUBY
—AP Wirephoto

other reason Brown wants to disqualify himself, I will appoint another judge," Blankenship said.

He will decide later, Blankenship added, on the various issues in the case. These include:

Whether Tonahill remains as a defense lawyer, Tonahill says Ruby is insane and the defendant's rejection of him has no standing.

A date and court for Ruby's sanity hearing.

The Texas Court of Criminal Appeals has refused to hear Ruby's appeal until after a sanity ruling.

Sixteen months after he killed Oswald, Ruby said: "Don't ask me what took place in my mind. I don't know."

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Good
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File
44-24016

The Washington Post and Times Herald _____
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New York Daily News _____
New York Post _____
The New York Times _____
The Baltimore Sun _____
The Worker _____
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The National Observer _____
People's World _____
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UPI-155

ADD RUBY, DALLAS

A FEDERAL JUDGE TODAY REFUSED TO TAKE JACK RUBY'S SANITY CASE
 INTO FEDERAL COURT. HE TURNED IT BACK TO STATE COURTS WITH THE
 SUGGESTION THAT SOMEONE OTHER THAN TRIAL JUDGE JOE B. BROWN HEAR
 THE SANITY TRIAL OF THE CONDEMNED SLAYER.

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WASHINGTON CAPITAL NEWS SERVICE

(Mount Clipping in Space Below)

Belli's Prediction: Ruby Will Never Be Executed

Attorney Melvin Belli said yesterday that Jack Ruby will never be executed for the murder of Lee Harvey Oswald, the accused assassin of President Kennedy.

Belli made the comment shortly after the Texas Court of Criminal Appeals ordered that a sanity trial be held for Ruby, who has been sentenced to death.

"Ruby will be judged to be insane and sent to an institution for the rest of his life," Belli told a news conference here.

"He will never be executed."

'INCOMPETENT'

"What the court did is what we've been asking it to do — in brief, Ruby is incompetent to defend himself. Everything we said during the trial has now come true," Belli said.

The court had scheduled hearings March 10 on Ruby's

appeal from his murder conviction. However, it suddenly ordered the insanity trial because of a dispute over Ruby's current attorney, J.H. Tonahill of Texas.

Ruby's family has tried to fire Tonahill, but the attorney contends Ruby is not mentally competent either to select his own lawyer or take part in an appeal.

FIRED

Belli was Ruby's defense lawyer at the murder trial and was later fired by Ruby's family. However, he said he had completed only yesterday morning a 100-page brief to be filed with the appeals body as a friend of the court.

The attorney sharply criticized Texas Judge Joe B. Brown, who presided at the trial, and Dallas District Attorney Henry Wade.

Both men, Belli said, failed to give Ruby a fair trial, which was conducted in such

a fashion that "no appeals court under the sun could ever confirm a guilty verdict."

Belli said his brief would have led to a reversal of the conviction, but he added that neither Texas official wanted that to happen.

LEAK

To prevent such a reversal, Belli said, the judge and the district attorney leaked information that Ruby is insane. "Once the court hears this, the appeals proceeding stops."

"They feel they have saved Dallas' image as a law-abiding city," Belli said. "Now there will be mercy from Dallas for Ruby. But what kind of mercy? It's like operating on a man for cancer when he could have been saved, but instead they operate at the autopsy."

If psychiatric treatment had been given to Ruby at the time, he could have been cured, Belli said.

(Indicate page, name of newspaper, city and state.)

2 S. F. Chronicle

San Francisco, Calif.

2-25-65

Date: Final Home

Edition:

Author: Chas. deYoung

Editor: Thieriot

Title:

Character:

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Submitting Office:

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Ruby to Push Court Fight

DALLAS, March 20 (AP)—sanity trial.
 Further legal maneuvering was assured today in the bizarre case of Jack Ruby, presumably still in state courts and possibly before the same judge who sentenced him to die. Federal Dist. Judge T. Whitfield Davidson refused yesterday to take jurisdiction in a

Then the condemned slayer of President Kennedy's assassin rose, with the court's permission and delivered a 30-minute lecture on lawyers, conspiracies and sanity—one of his few public utterances since Nov. 24, 1963, when he shot Lee Harvey Oswald.

The Washington Post and Times Herald _____
 The Washington Daily News _____
 The Evening Star _____
 New York Herald Tribune _____
 New York Journal-American _____
 New York Daily News _____
 New York Post _____
 The New York Times _____
 The Baltimore Sun _____
 The Worker _____
 The New Leader _____
 The Wall Street Journal _____
 The National Observer _____
 People's World _____
 Date _____

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UPI-166

ADD RUBY, DALLAS

RUBY SAT WITH HIS HANDS IN THE POCKETS OF HIS NEAT BLUE SUIT--THE SAME SUIT HE WORE DURING HIS MONTH-LONG TRIAL FOR MURDER.

THE JUDGE GAVE HIM PERMISSION TO SPEAK. HE DID NOT TAKE THE WITNESS STAND NOR WAS HE SWORN.

HE STARTED TALKING ABOUT HIS TROUBLES WITH ATTORNEYS--HE HAS HAD SIX CHIEF DEFENSE COUNSELS--AND HE TALKED ON FOR 35 MINUTES.

"THIS IS THE MOST TRAGIC THING IN THE HISTORY OF THE WORLD," HE SAID. THERE WAS A "TERRIBLE CONSPIRACY TO SHOW THE WORLD I AM INSANE."

DEFENSE ATTORNEYS INSIST HE IS INSANE, TO THE POINT OF HALLUCINATIONS ABOUT JEWS BEING SLAUGHTERED IN THE STREETS.

"I KNOW I'M GOING TO DIE, BUT I DON'T CARE. I NEVER HAD ANY DEFENSE IN COURT," HE SAID.

"BELLI (CHIEF TRIAL DEFENSE COUNSEL MELVIN BELLI OF SAN FRANCISCO) TRIED BUT HE WAS TRICKED. BELLI BUM-RAPPED HENRY WADE (THE PROSECUTOR) BUT THEY)) BE HAVING DINNER TONIGHT.

"THEY'RE GOING TO SAY I WAS PART OF A CONSPIRACY--THAT I DID KNOW OSWALD."

ACTUALLY, WADE WAS IN DALLAS. BELLI WAS NOT IN THE STATE.

"I BRING THIS OUT FOR A PURPOSE," HE WENT ON.

"I GUESS IT WAS MY DESTINY. IN A FRACTION OF A SECOND, THAT TRAGEDY ACTUALLY HAPPENED. IT (THE FACTS) WILL COME OUT LATER. BUT I'LL BEE GONE.

"MAY MY SOUL NEVER REST. MAY I LIE DEEP DOWN (IN A GRAVE) IF WHAT I SAY ISN'T TRUE.

"I'M GONE, YOUR HONOR. THE (RUBY) FAMILY ON THE OUTSIDE STILL THINKS THERE IS HOPE FOR ME. I DIDN'T BELIEVE THERE WAS A GOD. PERHAPS THERE IS. YOU'RE HEARING A FABULOUS STORY, YOUR HONOR!"

RUBY HINTED HE BELIEVED THERE WAS A CONSPIRACY TO ASSASSINATE THE PRESIDENT--SOMETHING NOT BORNE OUT BY THE WARREN COMMISSION REPORT.

HOW WAS IT, HE ASKED, THAT "THIS PERSON (OSWALD) WHO HAD NEVER WORKED MANAGED TO GET A JOB IN THE BOOK DEPOSITORY?"

"WHO ELSE COULD KNOW THE PRESIDENT WAS COMING TO DALLAS?"

BUT HE SAID HE WAS NO PART OF ANY CONSPIRACY. HE STRESSED IT. HE HAS SAID FROM THE MOMENT OF HIS ARREST THAT HE DID NOT KNOW OSWALD.

"ME, JACK RUBY--JACK RUBINSTEIN--AM THE GREATEST ESCAPEGOAT IN THE HISTORY OF THE WORLD," HE SAID.

"I AM GOING DOWN IN HISTORY AS THE MOST DESPICABLE PERSON THAT EVER LIVED."

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WASHINGTON CAPITAL NEWS SERVICE

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UPI-160

ADD RUBY, DALLAS

RUBY, TESTIFYING FOR THE FIRST TIME SINCE HE SHOT LEE HARVEY OSWALD, SAID TODAY "I GUESS IT WAS MY DESTINY" TO KILL THE PRESIDENT'S ASSASSIN. HE SWORE HE PULLED THE TRIGGER ON THE SPUR OF THE MOMENT AND WAS NO PART OF ANY COMMUNIST CONSPIRACY.

"IF IT HAD BEEN THREE SECONDS LATER, I WOULD NEVER HAVE MET THIS PERSON," HE CRIED OUT. "I GUESS GOD WAS AGAINST ME. I GUESS IT WAS MY DESTINY."

"DON'T ASK ME WHAT TOOK PLACE IN MY MIND. I DON'T KNOW."

A FEDERAL COURT LISTENED TO THE 54-YEAR-OLD CONDEMNED SLAYER'S RAMBLING TESTIMONY AND THEN RULED AGAINST HIM. THE DEFENSE HAD MOVED TO HAVE THE QUESTION OF RUBY'S SANITY BROUGHT TO A FEDERAL COURT. JUDGE T. WHITFIELD DAVIDSON ORDERED THE SANITY ISSUE RETURNED TO STATE COURT WITH THE SUGGESTION THAT A JUDGE OTHER THAN TRIAL JUDGE JOE B. BROWN HEAR THE CASE.

BROWN PRESIDED AT RUBY'S MURDER TRIAL A YEAR AGO AND LAST WEEK SET MARCH 29 AS THE DATE FOR A SANITY TRIAL BY JURY IN HIS COURT.

TODAY'S HEARING STEMMED FROM A CHARGE BY THE TEXAS CIVIL LIBERTIES UNION THAT THE SLAYER'S CONSTITUTIONAL RIGHTS WERE BEING VIOLATED, THE ISSUE WAS THE PRESENCE OF ATTORNEY JOE H. TONAHILL OF JASPER, TEX., ON THE DEFENSE.

THE RUBY FAMILY WANTED HIM REMOVED. TONAHILL REFUSED TO QUIT. RUBY HIMSELF SAID HE DID NOT WANT TONAHILL. BUT HIS COMPETENCE TO DECIDE WAS BROUGHT INTO QUESTION.

TONAHILL WALKED UP TO RUBY IN COURT. THE SLAYER SCOWLED AT HIM. TONAHILL WALKED AWAY.

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 NOT RECORDED
 176 MAR 24 1965

56 MAR 24 1965

WASHINGTON CAPITAL NEWS SERVICE

(Mount Clipping in Space Below)

Federal Court Will Get Hassle on Ruby Counsel

The scene of controversy over liberty or property without due process of law. lawyers for Jack Ruby is expected to switch to a federal court here within two weeks.

Although the matter is expected to be handled in a different manner (fewer loud arguments), some of the material in the federal motion may be taken from a document presented Monday in Judge Joe B. Brown's state court.

Attorney Sol Dann of Detroit promised to attempt entrance to federal halls under the Sixth Amendment to the Constitution, which guarantees the right of counsel.

The Dann motion overruled Monday alleged that Joe Tonahill, the controversial Jasper lawyer appointed Ruby's counsel Monday by Judge Brown, was discharged from the case July 21 and was "repeatedly requested to refrain from in any way acting as an attorney" for Ruby and his family.

The motion pointed out that Ruby himself asked for Tonahill's ousting.

The eighth paragraph stated:

"The denial of defendant's right to be represented before this court, in both the pre-trial conference, the sanity hearing, and any and all other proceedings, by only counsel of his choice, is in violation of his constitutional right to all such counsel as is guaranteed to him by the 6th and 14th Amendments to the Constitution of the United States."

The 14th Amendment forbids the states to deprive a person of life,

Trickery Charged in Ruby Case

Phil Burleson, Jack Ruby's attorney, and Assistant Dist. Atty. Bill Alexander disputed each other's views Monday over whether the Ruby lawyer controversy is a "defense trick."

Alexander opened fire first with his statement that "all this lawyer trouble appears to be a trick of the defense to manufacture claimed error in an area in which the state has no control, in an effort to trap the trial judge and the Texas Court of Criminal Appeals into a constitutional question."

Burleson countered with "Anybody who has been around these parties would know they are not putting on an act." He added that Alexander's statement was a state attempt to "camouflage the real issues involved — court errors."

Another observer compared the situation to a basketball game in which the defense team has "frozen" the ball and is waiting for the state team to commit error when attempting to regain control.

Alexander said he learned last year that the defense might further complicate the lawyer situation in an effort to cause reversible errors to be caught later by the State Court of Criminal Appeals or other courts.

Some officials in the district attorney's office stated several weeks ago that although they considered their case "clean" of errors, the case might be subject to reversal from defense actions, whether created or not.

(Indicate page, name of newspaper, city and state.)

7

"The Dallas Morning News"
Dallas, Texas

Date: 3-10-65
Editions:
Authors:
Editor:
Title: Jack B. Krueger

Character:
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Classification:
Submitting Office:
☐ Being Investigated Dallas

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(Indicate page, name of newspaper, city and state.)

1 "The Dallas Morning News" Dallas, Texas

Ruby Sanity Trial Set for March 29

Burleson, Tonahill To Argue Defense

By JOHN GEDDIE

Jack Ruby's sanity trial was set for March 29 during a hearing Monday in which Joe Tonahill and Phil Burleson were appointed by the court as Ruby's attorneys after an explosion of overruled motions.

Ruby family attorneys Sol Dann of Detroit and Elmer Gertz of Chicago immediately promised to take portions of the controversy into federal court here within two weeks.

Ruby, silent during his first public appearance in 10 months, turned away from Tonahill as the Jasper attorney attempted to hand him a motion aimed at excluding yet another firm of attorneys. He

Date: 3-9-65
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appeared to mutter at Tonahill every man has the right to his own counsel."

Both Tonahill and Burleson expressed surprise at their appointments by Dist. Judge Joe B. Brown, who presided at the trial in which Ruby was sentenced to death for killing Lee Harvey Oswald, the assassin of President Kennedy.

Burleson accepted only after telling Judge Brown that he felt the appointments were not legal.

Mrs. Eva Grant, Ruby's sister, appeared stunned later when she shouted to Burleson:

"Phil, we hired them (Dann and Gertz). You take orders from them. You don't take orders from Tonahill."

MRS. GRANT had been the most vocal in protesting the presence of Tonahill on her brother's legal staff, but the whole family—including the condemned man—signed a motion sent to the State Court of Criminal Appeals to oust Tonahill. The Austin court ordered that Ruby's sanity be decided before any decision on Tonahill or the appeals case.

Tonahill's position—if the ruling is legal—was secured Monday by Judge Brown after he affirmatively answered Tonahill's question of whether the appointment was for "the sanity hearing and all appeals."

AS RUBY marched from the courtroom through a crowd of photographers, he was asked if he wanted Tonahill in the case.

"Hell no," he replied as the guards led him back to his jail cell.

After the hearing, Dann said he would appeal Tonahill's appointment in federal court under the Sixth Amendment of the Constitution which provides that

Judge Brown overruled motions presented by Burleson that the judge disqualify himself, that a change of venue for the sanity trial should be granted and that an extension of time be allowed to prepare for a pretrial conference.

THE MOTION to disqualify Judge Brown cited claims that he is under contract to write a book on the Ruby murder trial. The motion stated that the sale of the book would be "directly affected by the outcome" of Judge Brown's decisions.

The motion also pointed to "questionable judicial conduct" of Judge Brown including "his reading in the presence of the jury a cartoon book" and posing for photographs.

Judge Brown overruled a motion from Tonahill asking for the exclusion of the New York law firm of Kunstler, Kunstler and Kinoy because they "have been frequently employed in the representation of Communists and have on frequent occasions espoused Communistic causes" according to the Feb. 8 edition of Congressional Record.

TONAHILL ADDED orally that Ruby was unaware of the background of the New York firm and that Dann was attempting to "saddle" him with the group.

Judge Brown also refused to order Gertz and Dann away from the defense counsel table. As Tonahill objected, Judge Brown said, "There is no problem, take your seat, Mr. Tonahill."

Near the end of the 40-minute hearing, Tonahill again asked about the out-of-state attorneys.

AT RUBY HEARING

Slight Changes Noted In Cast of Characters

Only Melvin Belli and Dist. Atty. Henry Wade were needed to complete the familiar list of characters at the Monday hearing for Jack Ruby.

Belli, long since resigned, and Wade, hospitalized with a badly injured leg, would have almost duplicated the cast at Ruby's trial almost a year ago.

There was the duo of assistant district attorneys—Jim Bowie and Bill Alexander—the bulky presence of Joe Tonahill, glasses-on-nose Judge Brown, Phil Burleson and Sheriff Bill Decker.

Mrs. Eva Grant, Ruby's sister, was nervous. His brother, Sam Ruby, as usual, appeared worried. And there was the balding, defendant, sometimes called the "forgotten man"—Jack Ruby.

Surrounded by another quarrel between his attorneys, Ruby glanced about the small courtroom. Sam Ruby said later that Jack only recognized Dallas News writer Tony Zoppi among the onlookers.

The brother, and several other observers, said Ruby appeared healthier and more alert than he had at his last appearance.

He appeared to snap at Tonahill when the attorney tried to hand him a motion. He watched intent-

ly as lawyers argued over the rights to represent him.

When they led him away, he formed a kiss for his sister and uttered a "Hell no" when asked if he wanted Tonahill in the trial.

Family attorneys Sol Dann and Elmer Gertz, said Ruby is insane and that his own statements that he is not insane back up, in part, the charge.

Ruby, if he is sane, missed much of the conversation he would have found most interesting. After the hearing, Tonahill announced loudly that since Judge Brown had appointed him as an attorney, he would attempt to have attorney Dann held in contempt of court if the Detroit man tried to "interfere."

Outside the courtroom, Dann told reporters that the Ruby family had exhausted their finances in an attempt to avert a "judicial murder." He berated Tonahill with federal and bar association threats.

Ruby missed hearing state's attorneys declare their readiness for any legal action—sanity trial, appeal case, federal court action—in their determination to uphold the decision to place him in the electric chair.

He is scheduled to return from his cell March 29. He will probably be the last person in the courtroom, and the first to leave.

MOTIONS OVERRULED

Brisk Exchanges Mark Ruby Hearing

The surprise appointment of Phil Burleson and Joe Tonahill as attorneys for Jack Ruby came Monday near the end of a hearing before Judge Joe B. Brown.

Shortly after the 10 a.m. hearing opened, Tonahill asked that a New York firm be excluded from the case. He was interrupted.

Judge Brown: "All right, Mr. Tonahill, take your seat, please."

Tonahill: "Your honor, I know that they . . ."

Judge Brown: "There is no problem, take your seat, Mr. Tonahill."

Tonahill: "But my position is, your honor . . ."

Judge Brown: "Mr. Tonahill, take your seat."

He sat—as Judge Brown began to overrule motions presented by Burleson. Then Burleson asked for time to file another motion. "Will the court give us 48 hours?"

"These were all only filed 15 minutes ago," Judge Brown snapped, referring to a handful of motions from Burleson.

All motions by both men were overruled, and all oral requests were turned down. Judge Brown set the sanity trial for March 29, and was asked by Burleson for a 60-day extension.

He refused to extend the trial date, and refused to allow Burleson to present evidence showing why more time was necessary.

Then, suddenly, Judge Brown

announced: "I want the record at this time to reflect that the court is appointing to represent the defendant in this case, Mr. Phil Burleson and Mr. Joe Tonahill."

Tonahill, obviously pleased, asked that the judge also appoint attorney Emmett Colvin of Dallas, but was refused. Burleson said he thought Judge Brown did not have the authority to appoint attorneys, but accepted the appointment.

An explanation by Judge Brown ended the hearing: "Mr. Tonahill, the reason that I appointed you and Mr. Burleson to represent the defendant is because you did try this case, you did participate in the trial of this case, and therefore you would be very valuable to the defendant in handling his appeal in order to protect the defendant's rights on appeal, so the court subsequently appointed you and Mr. Burleson."

"Court will be adjourned."

Jury Trial on Ruby's Sanity Is Set for March 29

Tonahill Named an Attorney Over Slayer's Objections

DALLAS, March 8 (UPI)— Judge Joe B. Brown today ordered a jury trial to rule on Jack L. Ruby's sanity, but touched off a squabble by assigning the condemned slayer an attorney he opposes.

Overruling a series of defense motions, Judge Brown ordered the 53-year-old killer of Lee Harvey Oswald to be tried March 29. The trial verdict could decide whether Ruby goes to the electric chair for murder. The defense, among other motions, had asked for a pretrial hearing and a change of venue.

The judge assigned Phil Burleson of Dallas and Joe Tonahill of Jasper, as Ruby's attorneys. They had helped Melvin Belli of San Francisco during the unsuccessful defense of Ruby at his trial last year for shooting the Presidential assassin. Mr. Burleson is acceptable to Ruby and his family, but Mr. Tonahill is not.

Family Wants Detroiters

Sol Dann of Detroit, the attorney the Ruby family wants, said he would ask a Federal court in a week or 10 days to disqualify Judge Brown. Mr. Dann referred to "judicial murder" in a statement outside the courtroom.

"Jack is suffering from law-
yeritis, which could be fatal,"
Mr. Dann said.

Ruby himself said twice he wanted nothing to do with Mr. Tonahill. But Mr. Tonahill said:

"I'm going to work like hell for Jack Ruby. I have a loyal, legal, moral duty to this boy."

As Ruby was being rushed out of court to go back to his cell, newsmen asked if he wanted Mr. Tonahill.

"Hell, no!" Ruby replied. Prosecutors attended the hearing, but stayed out of the arguments, centering on Mr.



Associated Press Wirephoto

**Jack L. Ruby after hearing
yesterday for sanity trial.**

Tonahill and the batteries of lawyers the Ruby family preferred. Mr. Tonahill, twice cited for contempt of court during Ruby's murder trial, argued that the other lawyers were "undesirables."

The hearing resulted from the refusal of the State Court of Criminal Appeals to hear Ruby's appeal until the question of his sanity was legally determined.

Present Sanity Is Issue

His sanity at the time he shot Oswald on Nov. 24, 1963, was not in question. The murder-trial jury found him guilty and therefore legally sane at the time. His sanity at present is the issue.

Mr. Tonahill and other defense lawyers have argued that Ruby was insane when he shot Oswald and has deteriorated steadily, to the point that he believes Jews are being slaugh-

Family Lawyer Will Seek Order Against Judge

tered in the streets because of what he did.

When Mr. Tonahill tried to hand him a legal motion in court, Ruby glared at him and said bitterly:

"I don't want anything from you, no place. Leave me alone, will you please?"

Newsman heard Ruby curse
at Mr. Tonahill.

"We want Tonahill out of the place [case] because we don't trust him," Ruby's sister, Mrs. Eva Grant, said outside the courtroom.

Ruby looked better than he did when he made his last public appearance 10 months ago. He sat behind Mr. Dann and Elmer Gertz of Chicago, another Ruby family attorney.

Escort of 5 Deputies

Five sheriff's deputies escorted Ruby back and forth between jail elevator and courtroom.

Appointing the two attorneys to represent Ruby, Judge Brown told Mr. Tonahill:

"The reason I am appointing you and Mr. Burleson is because you tried the case."

Judge Brown overruled one motion for an order excluding Mr. Dann, Mr. Gertz and the New York firm of Kunstler, Kunstler and Kinoy from the case.

Mr. Tonahill introduced the motion to exclude them and argued it until the judge told him to "sit down."

Mr. Tonahill introduced part of an issue of The Congressional Record which, he said, showed that Kunstler, Kunstler and Kinoy "have been frequently employed in the representation of Communists and have on frequent occasions espoused Communist causes."

Judge Brown told Mr. Tomhill that the only thing he was concerned about was whether Ruby would have a sanity trial and when it would be.

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The Washington Post and Times Herald _____
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New York Journal-American _____
New York Mirror _____
New York Daily News _____
New York Post _____
The New York Times 127
The Worker _____
The New Leader _____
The Wall Street Journal _____
The National Observer _____
People's World _____
Date 7.11.65

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176 MAR 11 1967
69 MAR 12 1967

IRON

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Attorneys for Ruby Map Hearing Plans

A team of Jack Ruby's attorneys met Sunday to discuss plans for the latest hearing on the sanity of Lee Harvey Oswald's slayer. Criminal Dist. Judge Joe B. Brown, on instructions from the Texas Court of Criminal Appeals, must determine at 10 a.m. Monday if Ruby's sanity should be put to a jury trial. The outcome could settle the question of who

will be Ruby's attorneys in the future.

Sol Dann of Detroit, Elmer Gertz of Chicago and Phil Burleson of Dallas—a member of the original defense team—met at the Statler Hilton Hotel. None would comment on their plans.

"It would be premature to talk about it now," said Dann. "But you can say this: The first thing

we plan to do is to cure Jack Ruby of lawyeritis."

Dann referred to a motion before the appeals court to remove Jasper attorney Joe Tonahill as a Ruby lawyer.

Tonahill arrived Sunday night and checked into the same hotel.

"I'll be there Monday, you can bet on that," said Tonahill. "I've never quit a client and I won't start now. Jack is insane and he needs somebody now pretty bad."

Ruby's brothers and sisters, working with Dann, have attempted to remove Tonahill from the case for several months.

And last month, Ruby signed a motion addressed to the appeals court asking that Tonahill be removed. Tonahill balked, claiming Ruby is insane. Thus the insanity question arose.

The basis for Monday's hearing is a motion filed with Judge Brown last April. It claims Ruby is insane. Judge Brown heard the matter at that time, but the defense later asked that the question be continued.

It is not known if the defense will ask for a sanity trial or withdraw the motion. If they ask for a trial, the district attorney's office isn't expected to contest.

(Indicate page, name of newspaper, city and state.)

1 "The Dallas Morning News" Dallas, Texas

Date: 3-8-65
Edition:
Author:
Editor:
Title: Jack B. Krueger

Character:
or
Classification:
Submitting Office: Dallas
☐ Being Investigated

NOT RECORDED
16 MAY 4 1965

60 MAY 5 1965

File
C-111

(Mount Clipping in Space Below)

Texas Judge Sets Hearing on Ruby's Sanity for March 29

BY TOM JOINSON

(CHICAGO'S AMERICAN Wire Service)

DALLAS—District Judge Joe B. Brown today granted a sanity trial for condemned killer Jack Ruby and set the date for March 29.

Judge Brown, who presided over the month-long murder trial which ended in the death verdict for Ruby March 4, 1964, said a jury will be impaneled to determine the sanity of the man who killed Lee Harvey Oswald. Oswald had assassinated President Kennedy two days earlier.

Appoints Counselors

Judge Brown ordered attorneys Joe Tonahill of Jasper, Tex., and Phil Burleson of Dallas to represent Ruby at the sanity trial. They had aided Melvin Belli of San Francisco in the murder trial defense.

"The reason I am appointing you and Mr. Burleson," the judge told Tonahill, "is because you tried the case."

This was a blow to the Ruby family. Ruby's sisters and brothers wanted Tonahill removed.

In Good Health

Ruby, who will be 54 March 25, was well dressed in a dark blue suit and appeared in relatively good health.

"Hi, how are you," the former night club operator said to a newsman as deputies escorted him into the courtroom.

He seemed to have gained some weight since his last public appearance about 10 months ago.

Judge Brown said after today's 30-minute hearing that he was granting the motion for a sanity trial "to comply with orders of the Texas court of criminal appeals."

Television cameras will televise the slaying of Oswald which took place in the Dallas city hall basement Nov. 24, 1963.



Grant, sister of Jack Ruby, arrives at courtroom, where her brother was scheduled for a sanity hearing.



[AP Wirephotos]

JACK RUBY

Granted sanity hearing.

(Indicate page, name of newspaper, city and state.)

CHICAGO AMERICAN
CHICAGO, ILLINOIS

Date: 3/8/65

Edition: GREEN STREAK

Author: TOM JACKSON

Editor: LUKE CARROLL

Title:

JACK RUBY

Character: 44-645

or

Classification: CHICAGO

Submitting Office:

Investigation

14-24916-A
NOT RECORDED
176 MAR 16 1965

Tolson _____
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UPI-66

(RUBY)

DALLAS--JUDGE JOE B. BROWN TODAY ORDERED A SANITY TRIAL BY JURY FOR JACK RUBY ON MARCH 29. THE CONDEMNED SLAYER SAT IN COURT AND LISTENED IMPASSIVELY TO THE DECISION THAT COULD DECIDE WHETHER HE IS EXECUTED.

IN LESS THAN 30 MINUTES, BROWN, THE JUDGE WHO PRESIDED AT RUBY'S MURDER TRIAL ONE YEAR AGO, LISTENED TO ARGUMENTS AND ASSIGNED TWO ATTORNEYS TO REPRESENT RUBY AT THE SANITY TRIAL.

RUBY WAS LED INTO COURT FOR THE YEARNING FROM HIS MAXIMUM SECURITY CELL ON AN UPPER FLOOR OF THE COURTHOUSE. THE SLAYER OF PRESIDENTIAL ASSASSIN LEE HARVEY OSWALD WAS PALE, BUT LOOKED HEALTHY. IT WAS HIS FIRST PUBLIC APPEARANCE IN 10 MONTHS.

ASKED HOW HE FELT, HE REPLIED:

"FINE, THANK YOU."

BROWN ORDERED ATTORNEYS JOE TONAHILL OF JASPER, TEX., AND PHIL BURLESON OF DALLAS TO REPRESENT RUBY AT THE SANITY TRIAL. THEY HAD AIDED MELVIN BELLI OF SAN FRANCISCO IN THE MURDER TRIAL DEFENSE.

3/8--GE12N

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 176 MAR 12 1965

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WASHINGTON CAPITAL NEWS SERVICE

(Mount Clipping in Space Below)

Decker Eyes Guideline for Ruby Hearing

Sheriff Bill Decker said Thursday that he plans to meet with Dist. Judge Joe B. Brown to settle "ground rules" for the Jack Ruby hearing on Monday.

"I don't know if we're going to have one person here or 40," Decker said. "We need to make some plans."

Precautions during Ruby trial appearances last year included photographic identification for members of the press and a search for everyone entering the courtroom.

Decker said he plans to confer with Brown Friday.

One official said that Judge Brown was considering a "first come-first served" basis for admittance, but the judge was unavailable for comment.

Officials also have not announced the site of the hearing on a motion for a sanity trial. Ruby's trial was held in Judge J. Frank Wilson's larger courtroom, but a subsequent hearing was in Judge Brown's court.

When asked last week about his planned procedure, Sheriff Decker said he had not received instructions.

The hearing Monday could be short—with Ruby withdrawing his motion or Judge Brown setting a sanity trial date. He could, however, call for jury selection to begin immediately.

(Indicate page, name of newspaper, city and state.)

6. "The Dallas
Morning News"
Dallas, Texas

Date: 3-5-65
Edition:
Author:
Editor:
Title: Jack B. Krueger

Character:
or
Classification:
Submitting Office:
☐ Being Investigated Dallas

47-117-17
NOT RECORDED
46 MAY 4 1965

60 MAY 5 1965

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Long Hearing Seen On Ruby Condition

By JOHN GEDDIE

A long, extensive sanity hearing for Jack Ruby was indicated by several sources Wednesday.

One person close to the condemned killer said Ruby definitely will ask for a sanity trial when questioned Monday by Dist. Judge Joe B. Brown.

Previously, sources had said that the Ruby family and attorneys were considering the withdrawal of their request for a hearing. It was felt that if Ruby is found insane, his document ousting Joe Tonahill as a staff lawyer would be thrown out.

The decision to have a sanity hearing now apparently is based on the Ruby family's current belief that Tonahill can still be ousted as attorney, one person said.

The disputed power of attorney carried by Mrs. Eva Grant of Dallas and attempts to gain bar association's support against Tonahill were cited as possible hole cards.

The Ruby family is expected to bring in representatives of the New York law firm of Kunstler, Kunstler & Kinoy in the near future possibly in time for the

hearing Monday.

Some members of the district attorney's office are not convinced that Ruby will not withdraw the motion Monday, but a full-scale preparation is underway to bring the nation's outstanding doctors to Dallas.

For the sanity hearing, as an example, Dist. Atty. Henry Wade and his staff ordered all volumes of the Warren Commission investigation. The books arrived Monday.

Both state and Ruby attorneys are expected to use Warren Commission testimony.

Defense attorneys here are borrowing volumes from Mrs. Grant.

Judge Brown called the hearing later postponed until Monday, after the State Court of Criminal Appeals ordered him to decide Ruby's mental state before they ruled on a motion to oust Tonahill.

Some officials have said, however, that if Ruby withdrew his motion for a sanity trial, there would be no official question of his mental state and the appeals court would have to consider him sane until he was proven otherwise.

(Indicate page, name of newspaper, city and state.)

6. "The Dallas
Morning News"
Dallas, Texas

Date:

3-4-65

Edition:

Author:

Editor:

Title:

Jack B. Krueger

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Submitting Office:

☐ Being Investigated

Dallas

60 MAY 5 1965

NOT RECORDED
48 MAY 4 1965

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Hearing for Ruby Set Back 1 Week

A hearing to determine if a sanity trial is warranted for Jack Ruby was postponed for a week Friday by Dist. Judge Joe B. Brown.

The hearing, first scheduled for Monday, was re-set for 10 a.m. March 8.

Attorney Phil Burleson said that Judge Brown granted the postponement after a request from Ruby's staff to allow an extra week.

"We feel that we need more time to explore the situation," Burleson said. Dist. Atty. Henry Wade agreed to the postponement.

Sheriff Bill Decker said Friday that he has not been told of the "ground rules" for handling the press and visitors during the hearing and, if scheduled, sanity trial.

"We will take all precautions necessary," he said.

The hearing was called after the State Court of Criminal Appeals ordered Judge Brown to determine Ruby's mental condition. The appeals court indicated that the ruling is needed before it can act on a motion signed by Ruby to substitute a New York law firm for attorney Joe Tonahill of Jasper.

Tonahill, who has insisted that he will not quit the case, planned to attend the Monday hearing and is expected in Dallas whenever it is held.

Tonahill said that a sanity hearing must be held under the appeal

court order. Other attorneys, however, have stated that if Ruby withdrew his 10-month-old motion for a sanity hearing, Judge Brown could send the matter back to Austin.

Meanwhile, Dist. Atty. Wade's staff is preparing for a long sanity trial. Sources said that nationally known psychiatrists will soon come to Dallas to examine Ruby.

(Indicate page, name of newspaper, city and state.)

5

"The Dallas
Morning News"
Dallas, Texas

Date: 2-27-65
Edition:
Author:
Editor:
Title: Jack B. Krueger

Character:
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Classification:
Submitting Office: Dallas
☐ Being Investigated

NOT RECORDED
46 MAY 4 1965

60 MAY 5 1965

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Ruby to Be Taken For Hearing Monday

JOHN GEDDIE

Jack Ruby will be taken before Dist. Judge Joe B. Brown Monday morning for a hearing on his motion for a sanity trial. The Dallas News learned Thursday.

Plans for the 10 a.m. hearing were kept secret until their surprise disclosure by Judge Brown.

Judge Brown ordered defense attorney Phil Burleson and state prosecutors to be present.

A spokesman for the district attorney's office said Ruby will attend.

If Ruby is present, it will be the first time that he has been in public view in more than a month.

The defendant has been secluded in county jail since last April, when he appeared in Judge Brown's court on the question of hospital mental tests and a sanity hearing.

Jasper attorney Joe Tonahill, whose controversial status in the case as a defense lawyer caused the State Court of Criminal Appeals to order Judge Brown to determine Ruby's sanity, said he will come to Dallas for the hearing. He did not know of the hearing before being called by The News.

Defense attorneys filed an affidavit of insanity for Ruby on April 27, 1964, and a motion for continuance in the matter was filed on June 16. That was the last action taken on the question of Ruby's sanity.

A jury on March 17 sentenced

Ruby to die in the electric chair for murdering presidential assassin Lee Harvey Oswald.

Sheriff Bill Decker began preparations for Ruby's safety after learning of the hearing. Arrangements are expected to be similar to those employed last year when Ruby was taken from his cell to the courtroom where he was tried and for later hearings.

The appeals court revealed orders Wednesday which stated that because the Ruby family and Tonahill disagree over the attorney's presence in the case, Judge Brown should determine whether Ruby is insane. Ruby has signed a motion asking that Tonahill be removed, but before the appeals court can act on it, the condemned man's sanity must be determined.

Disclosure of the hearing apparently came after two officials each thought the other had given details to reporters.

The mixup was believed caused by a newspaper headline which stated that a sanity hearing would be held. The story actually did not reveal a time or place for the hearing on the motion.

Burleson said that he has not decided what "avenue" Ruby will take in the hearing.

Dist. Atty. Henry Wade said his staff is prepared for a sanity hearing or the appeals case. He and Assistant Dist. Attys. William F. Alexander and A. D. Jim Bowie are expected to represent the state at the hearing.

The hearing Monday is expected to be short.

(Indicate page, name of newspaper, city and state.)

"The Dallas
Morning News"
Dallas, Texas

Date: 2-26-65
Edition:
Author:
Editor:
Title: Jack B. Krueger

Character:
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Classification:
Submitting Office:
☐ Being Investigated Dallas

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46 MAY 4 1965

60 MAY 5 1965

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 Gandy ☒

UPI-121

(RUBY)

DALLAS--DIST. JUDGE JOE B. BROWN TODAY GRANTED A DEFENSE REQUEST FOR A ONE-WEEK POSTPONEMENT ON A HEARING TO DETERMINE WHETHER A SANITY TRIAL SHOULD BE HELD FOR CONVICTED KILLER JACK RUBY.

THE HEARING WILL BE HELD MARCH 8 INSTEAD OF NEXT MONDAY. AT THAT TIME RUBY WILL MAKE HIS FIRST PUBLIC APPEARANCE IN 10 MONTHS.

BROWN WILL HOLD THE HEARING TO DETERMINE WHETHER DEFENSE LAYERS WANT A SANITY TRIAL FOR RUBY.

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 Tele Room ☒
 Holmes ☒
 Gandy ☒

UPI-232

(RUBY)

DALLAS--DIST. JUDGE JOE B. BROWN SAID TODAY HE WILL HOLD A SANITY HEARING FOR CONDEMNED SLAYER JACK RUBY BASED ON AN INSANITY AFFIDAVIT FILED BY RUBY'S LAWYERS.

BROWN SAID HE HAD NOT MADE UP HIS MIND ON A DATE FOR THE TRIAL BUT WILL MEET WITH PROSECUTION AND DEFENSE LAWYERS AT 10 A.M. CST MONDAY TO DECIDE WHEN THE HEARING WILL BE HELD.

THE APPEALS COURT HAD ORIGINALLY PLANNED TO HEAR AN APPEAL FROM RUBY'S LAWYERS ON MARCH 10.

IF RUBY IS FOUND INSANE NOW HE WILL BE SENT TO A STATE MENTAL HOSPITAL. BUT IF HE IS FOUND SANE, THE APPEALS COURT WOULD REVIEW THE CONVICTION AS SCHEDULED.

"THE AFFIDAVIT HAS BEEN PENDING ALL THIS TIME," JUDGE BROWN SAID. "IT WAS NEVER WITHDRAWN AND IT IS A SUFFICIENT BASIS FOR THE COURT TO ACT."

JUDGE BROWN SAID HE WOULD CONFER WITH DEFENSE ATTORNEY PHIL BURLESON BEFORE SETTING A HEARING.

THE INSANITY AFFIDAVIT WAS FILED APRIL 27, 1964 AND A MOTION FOR CONTINUANCE WAS FILED JUNE 16, 1964.

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56 MAR 2 1965

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UPI-65

(RUBY)

AUSTIN, TEX.--THE TEXAS COURT OF CRIMINAL APPEALS TODAY REFUSED TO HEAR THE APPEAL OF JACK RUBY UNTIL THE TRIAL JUDGE IN DALLAS DECIDES WHETHER THE CONDEMNED SLAYER OF LEE HARVEY OSWALD IS SANE.

THE APPEAL WAS SCHEDULED TO BE ARGUED MARCH 10 AND THE DEADLINE FOR FILING WRITTEN BRIEFS WITH THE FIVE-MAN APPEALS COURT WAS MARCH 3. A QUARREL OVER WHAT LAWYERS REPRESENT RUBY FIGURED IN THE LATEST LEGAL TWIST IN THE CASE.

RUBY, NOW 34, REMAINS IN JAIL AT DALLAS, WHERE HE HAS BEEN SINCE THAT SUNDAY MORNING NOV. 24, 1963, WHEN HE SHOT THE ASSASSIN OF PRESIDENT KENNEDY IN FULL VIEW OF A NATIONWIDE TELEVISION AUDIENCE.

THE DEFENSE APPEAL WAS TO HAVE CONSIDERED ONLY ALLEGED ERRORS IN THE TRIAL AND THE QUESTION OF WHETHER RUBY COULD HAVE RECEIVED A FAIR TRIAL IN DALLAS. HIS SANITY, AS FAR AS THE DEFENSE WAS CONCERNED, WAS NOT AN ISSUE IN THE APPEAL.

THE APPEALS COURT SAID THERE WOULD BE NO HEARING UNTIL DISTRICT JUDGE JOE B. BROWN, WHO PRESIDED AT RUBY'S TRIAL JUST ONE YEAR AGO, DECIDES THE SANITY ISSUE.

"NO COMMENT," SAID JUDGE BROWN IN DALLAS WHEN ADVISED OF THE COURT'S ACTION.

THE DEFENSE HAS ARGUED THAT RUBY WAS INSANE AT THE TIME OF THE SHOOTING AND THAT HIS MIND HAS DETERIORATED RAPIDLY SINCE THEN. THE PROSECUTION ARGUED -- SUCCESSFULLY -- THAT RUBY KNEW RIGHT FROM WRONG AND WAS LEGALLY SANE AT THE TIME HE PULLED THE TRIGGER OF HIS 38-CALIBER PISTOL.

2/24--GE1132A

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WASHINGTON CAPITAL NEWS SERVICE

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UPI-67

ADD RUBY, DALLAS (UPI-65)

RUBY'S FAMILY HAS ASKED THE APPEALS COURT TO DISMISS ATTORNEY JOE TONAHILL OF JASPER, TEX., FROM THE DEFENSE TEAM AND ALLOW A NEW YORK LAW FIRM TO REPRESENT THE DEFENDANT ALONG WITH ATTORNEY PHIL BURLESON OF DALLAS. TONAHILL REFUSED TO QUIT THE CASE.

TONAHILL AND BURLESON ASSISTED ATTORNEY MELVIN BELLI OF SAN FRANCISCO AS RUBY'S TRIAL DEFENDERS. BELLI HAS LONG SINCE LEFT THE CASE, ALONG WITH FIVE OTHER CHIEF DEFENSE LAWYERS.

THE APPEALS COURT SAID IN AN OPINION THAT NEW ATTORNEYS HAD ASKED FOR MORE TIME TO PREPARE THEIR BRIEFS AND ARGUMENTS. TRIAL RECORDS AND DOCUMENTS WEIGHING 600 POUNDS HAVE BEEN SENT TO AUSTIN FOR THE APPEAL.

THE APPEALS COURT SAID THE ISSUE OF TONAHILL'S DISMISSAL DEPENDS ON THE DETERMINATION OF RUBY'S SANITY.

"WE HAVE CONCLUDED THAT THE SUBMISSION OF THIS APPEAL AND DECISION ON THE QUESTION AS TO WHO WILL BE RECOGNIZED BY THIS COURT AS APPELLANT'S COUNSEL ON APPEAL SHOULD BE POSTPONED TO ALLOW TIME FOR THE TRIAL JUDGE TO JUDICIALLY TERMINE RUBY'S MENTAL STATE.

UNDER TEXAS LAW, SANITY USUALLY IS DETERMINED BY A JURY.

TODAY'S OPINION WAS IN RESPONSE TO A REQUEST BY RUBY'S SISTER, MRS. EVA L. GRANT OF DALLAS, AND SIX OTHER BROTHERS AND SISTERS TO GET TONAHILL OUT OF THE CASE.

THE FIRST REQUEST HAD BEEN TURNED DOWN BECAUSE RUBY HAD NOT SIGNED IT.

WHEN RUBY DID SIGN THE DISMISSAL NOTICE, TONAHILL INSISTED THAT HIS SIGNATURE WAS INVALID BECAUSE THE SLAYER IS INSANE.

2/24--GE1141A

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WASHINGTON CAPITAL NEWS SERVICE

(Mount Clipping in Space Below)

(Indicate page, name of newspaper, city and state.)

9 "The Dallas
Morning News"
Dallas, Texas.

Date: 2-24-65
Edition:
Author: Jack B. Krueger
Editor:
Title:

Character:
or
Classification: Dallas
Submitting Office:
☐ Being Investigated

NOT RECORDED
46 MAY 4 1965

Tonahill Criticized in Affidavit

An affidavit supporting a motion to oust Joe Tonahill as attorney for Jack Ruby included a quote from Assistant Dist. Atty. Jim Bowie, a copy of the document revealed Tuesday.

"Dist. Atty. Henry Wade was sent a copy of the affidavit, filed with the State Court of Criminal Appeals, which claimed that during an April hearing, Bowie said of Tonahill: "I charge him with inefficiency of counsel . . ."

In the affidavit, the Ruby family asked that Kunstler, Kunstler & Kinoy of New York, Sol A. Dann, Elmer Gertz and Phil Burleson be entered as attorneys of record.

A postponement of the March 19 appeals court hearing was also requested.

The document claimed that Tonahill was asked several times to resign and that Jack Ruby was

deprived of his legal rights of representation submitted in my behalf."

The court was also sent a copy of a letter signed by three doctors recommending to Judge Joe B. Brown that Ruby be given a sanity hearing. The letter was dated May 27.

Also in the packet was a copy of a power-of-attorney agreement with Mrs. Eva Grant, Ruby's sister, signed by Ruby Feb. 3, 1964.

The affidavit for new attorneys of record was signed by Ruby's seven brothers and sisters. Ruby's agreement and signature were added Feb. 16 with the notation, "I read and approve of this mo-

In Austin, meanwhile, judges of the Texas Court of Criminal Appeals said they have not acted on the Ruby request that they drop Tonahill from the list of defense lawyers in his case.

Tonahill has said he feels he has "a moral obligation" to represent Ruby "all the way to the U.S. Supreme Court, if necessary."

A Dallas jury ruled that Ruby should die in the electric chair for the murder of Lee Harvey Oswald, who is accused of assassinating President John F. Kennedy.

6 MAY 5 1965

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Mr. Tolson _____
 Mr. Belmont _____
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 Mr. DeLoach _____
 Mr. Casper _____
 Mr. Callahan _____
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 Mr. Holmes _____
 Miss Gandy _____

BELLOWS SAYS HE WANTS OUT OF RUBY CASE

Charles Bellows, Chicago lawyer, said last night that he will ask permission to withdraw as a defense counsel for Jack Ruby, now under sentence of death in the fatal shooting of Lee Harvey Oswald, alleged assassin of President Kennedy.

He said his decision to withdraw was motivated by interference by Ruby's family and a Detroit attorney, Sol Dann, who is seeking to have a Texas attorney, Joseph Tonahill, removed from the defense team.

Last October Mrs. Eva L. Grant, sister of Ruby, asked the Texas Criminal Court of Appeals to fire all of Ruby's attorneys of record except Phil Burleson of Dallas. As a result two other attorneys, Clayton Fowler and Emmett Colvin withdrew.

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176 FEB 17 1965

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(Indicate page, name of newspaper, city and state.)

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CHICAGO TRIBUNE
CHICAGO, ILLINOIS

Date: 2/8/65
 Edition: 3 STAR FINAL
 Author:
 Editor: W.D. MAXWELL
 Title:

JACK RUBY

Character:
or 44-645

Classification:
Submitting Office CHICAGO.
Under Investigation

RECORDED COPY FILED IN 105-82555-A

Jurists Seek to Curb— Statements to Press 1-3

By DANA BULLEN
Star Staff Writer

NEW ORLEANS — A code for judges urging them to prevent lawyers from talking to the press about pending court cases is being developed by the National Conference of State Trial Judges.

If present plans materialize, the code will be distributed to the nation's 3,500 state trial judges with the recommendation that individual states adopt similar codes tailored to local circumstances.

The relationship between freedom of the press and the right to a fair trial is being studied by many groups now in the wake of the Lee Oswald and Jack Ruby cases and the Warren Commission report.

The executive committee of the state judges group discussed the proposed code at a session here yesterday in connection with the American Bar Association mid-year meeting.

In other meeting activities:

1. Judge Bernard Botin of New York told the National Conference of Bar Presidents that arrangements are under way to have domestic peace corps workers help with local bail projects.

He said that if sufficient requests from communities are received, Vista (Volunteers in Service to America) would attempt to recruit and train 100 volunteers for this type of work.

Programs are under way in Washington, New York and a number of other places for release of selected criminal defendants without bail pending trial. The volunteers could help with such programs, Botin said.

Harriman Speaks

2. W. Averell Harriman, undersecretary of state for political affairs, said in remarks at a banquet of the Fellows of the American Bar Foundation that the conflict between the Soviet Union and Red China has "vastly favorable" implications for the free world in the long run.

But in the immediate future," Harriman said, "the competition for world leadership of the (Communist) movement is increasing the dangers . . . to free countries."

Harriman said that continuing United States leadership is necessary in Viet Nam to contain Communism, or it will be left free to spread in Southeast Asia "like a forest fire."

Harriman substituted for the scheduled speaker, Undersecretary of State George W. Ball, who was unable to attend the banquet because of what was termed a bad cold. Ball has been serving as acting secretary of state—Dean Rusk also has the "executive flu."

3. Special American Bar Foundation awards for research and service were presented to E. Blyth Stason, former dean of the Michigan Law School, and to James D. Carpenter, 80, a practicing attorney since 1909 in Newark, N.J.

Reprimands for Revelations

The proposed code for judges outlines fair responsibilities in a number of areas of trial activity. The section dealing with the press is only a part of the overall code.

A key provision, if finally approved, states that trial judges should reprimand a lawyer or recommend disciplinary proceedings for violation of the ban on out-of-court statements.

"A public trial is one to which the public is admitted without preference to the extent that the facilities permit without crowding or standing," the draft of the proposed code said.

"The fact that trials are public does not entitle anyone to photograph, record or otherwise to participate, interrupt or detract from the proceedings . . ."

"The trial judge should not permit counsel or any party

to make any statements regarding a pending case to the public, the press or to others outside the courtroom," the draft said.

The trial judge, it said, is responsible for the proper behavior of spectators and news reporters. "He should not tolerate any participation, interruption or other conduct that may interfere . . .," the proposed code said.

It provides that trial judges should not seek or encourage publicity, nor should they restrict the access of the public or the press to records or to court proceedings.

The executive committee of the state trial judges conference is to take up the proposed code again before the conference meeting next August. At that time, the conference may be asked to approve the code for nationwide distribution.

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The Washington Post and Times Herald
The Washington Daily News
The Evening Star
New York Herald Tribune
New York Journal-American
New York Daily News
New York Post
The New York Times
The Baltimore Sun
The Worker
The New Leader
The Wall Street Journal
The National Observer
People's World
Date

FEB 18 1965

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Jack Ruby's Condition Is Called 'Chronic'

The mental condition of Jack Ruby, who was convicted of killing Lee Harvey Oswald on Nov. 25, 1963, "is basically unchanged since I first examined him nine months ago, except that it has become more chronic," said Dr. Louis J. West last week.

Dr. West, a professor of psychiatry at the University of Oklahoma Medical School, examined Ruby for an hour in the Dallas County jail. Dr. West testified at Ruby's trial last April that the former night-club operator should be hospitalized immediately.

Ruby has been confined since he was sentenced to death for killing Oswald. On March 10 his attorneys will argue before the Texas Court of Criminal Appeals that the verdict should be set aside.

The Washington Post and Times Herald _____
 The Washington Daily News _____
 The Evening Star _____
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 New York Daily News _____
 New York Post _____
 The New York Times _____
 The Baltimore Sun _____
 The Worker _____
 The New Leader _____
 The Wall Street Journal _____
 The National Observer _____
 People's World _____
 Date _____

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March 10 Is Set For Ruby Appeal

AUSTIN, Tex. Jan. 15 (UPI) — Jack Ruby's appeal was set today to be heard March 10.

The onetime night club operator's lawyers, Joe Tonahill of Jasper and Phil Burleson of Dallas, will get 40 minutes to try to persuade the three-judge Texas court of Criminal Appeals to throw

out the death sentence Ruby received for killing presidential assassin Lee Harvey Oswald. Ruby will not be required to appear.

It could be as much as a year before the Court rules. If Ruby loses, his attorneys are expected to turn to Federal courts.

The Washington Post and Times Herald 16
 The Washington Daily News _____
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 New York Herald Tribune _____
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 New York Daily News _____
 New York Post _____
 The New York Times _____
 The Baltimore Sun _____
 The Worker _____
 The New Leader _____
 The Wall Street Journal _____
 The National Observer _____
 People's World _____
 Date _____

JAN 16 1965

Ruby Sought to Tell All in Lie Test

By HERMAN SCHADEN
Star Staff Writer

For a capsule drama within the framework of an immense tragedy, few episodes were more gripping than the polygraph test which Jack L. Ruby insisted on taking over the protests of attorneys, family and friends.

Eighty-five pages of testimony from the Warren Commission hearings tell the story of the convicted Ruby's determination to make public his answers to any questions put to him about his slaying of Lee Harvey Oswald.

Except for a two-hour break, the wrangling and questioning went on for 10 hours in the Dallas County Jail last July 18.

The rough-and-ready Ruby, the hustler who went from Chicago's streets to Dallas' night-club district, emerged from the controversial interrogation with as good marks as anyone could expect under the circumstances.

Wasn't Dissuaded

He asked for the polygraph test, was granted it by Commission Chairman Earl Warren and neither his attorneys, Clayton Fowler and Joe Tonahill, nor his closest advisers could dissuade him.

In fact, Ruby nearly drove his legal counsel to distraction by insisting, before and during the test, that it must be released to the public as soon as possible and by insisting that William F. Alexander, representing the District Attorney's office, should be let in on the quiz.

Fowler repeatedly tried to convince Ruby that by divulging information to the district attorney he might be destroying his last chance in the event he won a new trial.

"I've got the monkey on my back now," said Ruby.

"Well, you've got more than a monkey on your back, Jack,"

answered Fowler. "This is your decision."

10 Series of Questions

The FBI polygraph expert, Bell P. Herndon, went to great lengths to explain the operation to Ruby and to put him at ease. The test was given in 10 series of questions, each series lasting 3 minutes or less with breaks in between.

It finally was agreed that Alexander would be permitted to hear the preliminary questions, but would leave the room when Herndon directed them for a response on the polygraph.

Most of the questioning went smoothly with Ruby apparently in a cooperative, chatty and amiable mood. But on occasion he tried to help Herndon rephrase long questions. Once this led to the ludicrous situation of Alexander horning in with a suggestion about how a question should be shaped.

This was during a series dealing with the question of premeditated murder, which Fowler warned was the very crux of Ruby's hope for eventual reversal or clemency.

Negative Answer

To the question: "Aside from anything you said to George Senator (Ruby's roommate) Sunday morning, did you ever tell anyone else you intended to shoot Oswald?" Ruby answered "No."

But even after the questioning began, Ruby was not satisfied that the district attorney's office was not getting his answers first hand.

"I've already told it to the Warren Commission," Ruby pleaded with Fowler.

"Listen, Jack," the attorney begged, "will you please listen to me? This man got up down there and asked the jury to send you to the electric chair."

"I know it," Ruby answered.

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The Washington Post and Times Herald
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New York Herald Tribune
New York Journal-American
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New York Post
The New York Times
The Worker
The New Leader
The Wall Street Journal
The National Observer
People's World
Date

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"I want him in here and I want you to ask him to come in, please."

Alexander continued to remain out of the room during Herndon's questioning for the polygraph, but Ruby relentlessly insisted on the prosecutor getting in on the act.

Stayed Out of Room

In his anxiety to show his all-out cooperation, Ruby once said to the man who had asked the death sentence for him:

"Bill, I think you can give these people certain questions and more potent ones than they know, because you probably know a lot of things that you have in your own mind that you'd like to have answered too."

"Jack, I really can't think of anything I'd like to ask," the prosecutor replied.

At another time he surprised Ruby by saying:

"Jack, you are a good man."

When Ruby replied, "Who, Bill?" and they held a 3-minute private conversation.

Test Is Described

Ten days after the polygraph test Herndon described it in great detail for Arlen Specter, assistant Warren Commission counsel, who also presided at the test.

Specter sought to evaluate the credibility of the examination in view of the testimony of three psychiatrists, including Dr. William Beavers, as to Ruby's mental instability.

Herndon left open the question as to Ruby's mental competency, but agreed that Dr. Beavers had concluded that Ruby seemed to be "aware of the questions and that he understood them, and that he was giving answers based on an appreciation of reality."

Herndon gave Ruby a high score on the test—provided he was mentally competent. He said Ruby answered all relevant and pertinent questions without indication of deception.

Ruby's Score Is High

For instance he answered negatively, with good responses on the machine, to such questions as "Did you know Oswald before Nov. 22, 1963?", "Did you assist Oswald in the assassination?", "Have you ever been a member of a group advocating the violent overthrow of the U.S. Government?", "Did you have a gun when you went to the Friday midnight press conference at the jail?"

The answer was "yes" when he was asked: "Did you shoot Oswald in order to save Mrs. Kennedy the ordeal of a trial?"

He also said "yes" to the query about whether he first decided to shoot Oswald Nov. 24.

Became Less Candid

Ruby became less candid on so-called control-type questions concerning his personal life. He was upset over questions about whether he was married, or had run into difficulty while serving in the armed forces, or had served time in jail.

As to Ruby's competency to answer the questions, Dr. Beavers made one exception in his belief that the killer was in touch with reality.

Ruby refused to answer at all when Herndon asked (1) "Do you think members of your family are now in danger because of what you did?" and (2) "Is Mr. Fowler in danger because he is defending you?"

Asked these questions before he was wired for polygraph, Ruby had answered "yes" to both.

Ruby, Grown Flabby, Languishes in Jail

Herald Tribune News Service

DALLAS, Tex., Nov. 21 Flabby, unkempt and vacante-eyed, Jack Ruby sits in the always-watched jail anteroom that has been his home since the day after he shot Lee Harvey Oswald.

It is almost a year now since he murdered the accused assassin of President Kennedy on Nov. 24, 1963, in the basement of Dallas Police Headquarters.

For his first months in the Dallas County Jail, Ruby did exercises, mostly a sort of push-up. With his feet high on the plaster wall, his nose pointing at the floor, he would lift his short body with his thick, muscular arms.

Now he doesn't bother.

Shows Decline

During his month-long trial in February and March, he was a trim dresser. His blue suit was always neatly pressed, his thinning hair combed straight back, his beard closely shaven.

Now his hair is scraggly and there are sore patches on his

arms and legs—he has taken to pulling the hair out.

Almost until the time that the Dallas jury sentenced him to die in the electric chair, his conversation was coherent and often to the point.

Now he rambles. He is obsessed by hallucinations about persecution of Jews, persecution that he somehow blames himself for.

Ruby's wardrobe is a white, one-piece short-sleeve jail uniform. His home is a squarish room that would usually be the anteroom for the office of Chief Jailer E. L. Holman. His is not an ordinary cell.

Three walls are plaster. The other, looking out on a balcony that protrudes over a row of cells below, is barred. One Trip Outside

During his long confinement, he has been out of the jail building once—on a semi-secret trip to the Dallas Neurological Clinic where pretrial tests were administered. The courtroom where he was tried is in the jail building.

Ruby's physical contacts with the outside world are few. He used to get a lot of mail. Now the letters have slowed down to a few a week, and he seems but slightly interested in them.

His sister Eva, a buxom emotional blonde, lives in Dallas and visits him often. Eva told him about the Warren Commission report the day it was issued but, she said, he "just didn't comprehend it." Their brother, Sam, also a Dallas resident, visits frequently.

Lawyer Visits

Occasionally a friend from Ruby's days of running the Carousel Club, a sleazy, second-story strip-tease joint, stops by.

There are frequent visits from Phil Burleson, the young lawyer who still toils on Ruby's appeal after a series of other attorneys have come, clashed with the volatile Ruby family, and gone.

Other times Ruby reads, plays solitaire or plays dominos with one of the guards who are stationed in his room 24 hours a day. Since his abortive "suicide" attempts (he once dashed his head against the wall; once he stuck his finger in an electrical socket) his bed has been moved into the main room from a small room to the side where he used to sleep.

Most of the time Ruby just sits silently.

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The Worker _____
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The National Observer _____
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 Holmes ☐
 Gandy ☐

Around the Nation:

Another Ruby Switch

DALLAS—Jack Ruby's defense staff did another flip-flop yesterday. The most recent chief counsel, Clayton Fowler, said a "secret group" of lawyers apparently sponsored by Ruby's relatives, are drawing their own appeal for the convicted slayer of Lee Harvey Oswald.



Fowler

Fowler, the fourth lawyer to direct legal efforts to save Ruby, joined attorney Emmett Colvin in a court motion asking that they be allowed to withdraw from the case, blaming "continual interference" from Ruby's family.

In the Wreckage

EL CENTRO—Navy and FBI investigators poked through the wreckage of 11 buildings yesterday hunting for the cause of a jet bomber crash that killed nine and injured 35 during a California air show at El Centro Tuesday.

The ill-fated bomber had just completed a parachute demonstration when it swooped down into the buildings.

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The Washington Post and Times Herald ☐
 The Washington Daily News ☐
 The Evening Star ☐
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 New York Journal-American ☐
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 New York Post ☐
 The New York Times ☐
 The Worker ☐
 The New Leader ☐
 The Wall Street Journal ☐
 The National Observer ☐
 People's World ☐
 Date ☐

OCT 22 1964

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UPI-97

(RUBY)

DALLAS--JACK RUBY'S CHIEF DEFENSE COUNSEL AND ANOTHER DEFENSE ATTORNEY BOWED OUT TODAY.

CLAYTON FOWLER, HEAD OF THE DALLAS CRIMINAL BAR ASSOCIATION RESIGNED AS CHIEF COUNSEL FOR THE CONDEMNED SLAYER OF ASSASSIN LEE HARVEY OSWALD. ATTORNEY EMMETT COLVIN ALSO RESIGNED. THE TWO ATTORNEYS APPEARED BEFORE TRIAL JUDGE JOE B. BROWN AND FILED A PETITION FOR THEIR RELEASE FROM THE RUBY CASE, NOW BEING APPEALED.

THEY SUGGESTED THAT BROWN NAME NEW ATTORNEYS FOR RUBY.

FOWLER, THE FIFTH CHIEF DEFENSE ATTORNEY FOR RUBY SINCE THE SLAYING LAST NOV. 24, SAID HE QUIT BECAUSE RUBY'S SISTER, MRS. EVA L. GRANT, ASKED THE COURT OCT. 20 TO FIRE ALL THE ATTORNEYS OF RECORD EXCEPT FOR PHIL BURLESON OF DALLAS.

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WASHINGTON CAPITAL NEWS SERVICE

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PEOPLE IN THE NEWS

Ruby Deteriorating, Lawyer Says

DALLAS (AP)—Jack Ruby believes the world still thinks he helped kill President Kennedy despite the Warren Commission's report, his chief lawyer, Clayton Fowler, said yesterday.

Fowler told Ruby in the county jail that the commission found he had no part in the assassination and was not involved in any way with Lee Harvey Oswald, the accused assassin whom Ruby shot Nov. 24.

"It appears there has been a further deterioration of his condition," the lawyer said, adding, that he felt Ruby "lacks the mental capacity" to understand the report's significance.

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 The National Observer _____
 People's World _____
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Mr. Tolson _____
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 Mr. Tele. Room _____
 Mr. Holmes _____
 Miss Gandy _____

Ruby-FW Attorney Tie Denied

Special to The Press

DALLAS. — Mrs. Eva Grant, sister of Jack Ruby, today denied reports that the Ruby family is seeking to hire Fort Worth attorney Jerry Murad as an addition to the Ruby defense staff.

"There's absolutely no truth to that at all," she said.

"We do have a new one coming in, we hope, out of Austin. But I can't say anymore. There is a question of money."

Rumors that the Ruby family were considering Mr. Murad were based on the fact that the Ruby family lawyer, Sol Dann of Detroit, is not licensed to practice in Texas.

The rumor held that Mr. Murad was to team up with Mr. Murad, who attempted to fire other lawyers representing Ruby but was unsuccessful. The lawyers said they were hired by Ruby and could be fired only by him.

Ruby's death sentence for shooting accused assassin Lee Harvey Oswald is now on appeal.

(Indicate page, name of newspaper, city and state.)

3
 "Ft. Worth Press"
 Ft. Worth, Texas

Date: 9-8-64

Edition:

Author:

Editor: Walter R. Humphrey

Title:

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or

Classification:

Submitting Office: Dallas

☐ Being Investigated

SEP 22 1964

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RUBY TRIAL TESTIMONY CHALLENGED

New documents concerning defense claims that a key state witness gave false testimony in Jack Ruby's murder trial were added to official records of the case Monday.

Affidavits signed by Dallas and Fort Worth television newsmen and attorneys were filed by defense lawyers, who claim that Police Sgt. Patrick Dean did not tell the truth about when he talked with Ruby following the shooting of Lee Harvey Oswald.

Three of the affidavits, signed by KRLD-TV newsmen, say films of television broadcasts on KRLD-TV and NBC-affiliated WDAP of Fort Worth show Sgt. Dean in the basement of city hall for 21 minutes and 21 seconds after the shooting of Oswald.

In formal bill of exception filed with Dist. Judge Joe B. Brown last month, defense attorneys claimed Sgt. Dean gave false testimony when he claimed to have talked with Ruby about 10 minutes after the former nightclub operator gunned down the accused presidential assassin.

TESTIFIED OF TALK

Sgt. Dean testified he talked with Ruby in the city jail and that the condemned man told him he had thought of killing Oswald two days before the Nov. 24 slaying.

Defense attorneys claim Judge Brown committed error in Ruby's trial in permitting Sgt. Dean to testify about the jail conversation.

Judge Brown refused the defense claim, contending Ruby's attorneys opened the door to questions about the conversation through their own cross-examination of state witnesses.

The three affidavits about Dean's presence in the basement as shown in the films were signed

by KRLD-TV employee Dan Garza, Richard H. Wheeler and Leslie Scures.

Two other affidavits, signed by KRLD-TV newsmen Wes Wise and Doyle Vinson of BBAP, state that defense lawyers requested to view the films for timing on April 28.

AFFIDAVITS SIGNED

Three other affidavits were also signed by Dallas attorneys John T. Boyce, Vernon Kelly and Robert Benavides about other defense contentions contained in the new bystander bills of exception.

Attorneys Phil Burleson and Emmett Colvin Jr. officially filed the new documents at 11:50 p.m. Friday at the home of Dist. Clerk Bill Shaw, 10 minutes before the final filing deadline in the case.

Mr. Shaw brought the papers to the courthouse Monday morning and had them processed and placed in the official record of the case.

The filing of the documents represents the final local step in the appeal of the case which ended in a death penalty verdict on March 14.

(Indicate page, name of newspaper, city and state.)

"The Dallas
Times-Herald"
Dallas, Texas

P.15

Date: 8/24/64
Edition:
Author:
Editor: Felix R. McKnight
Title:

Character:
or
Classification:
Submitting Office: Dallas
☐ Being Investigated

64 OCT 15 1964

Phil Burleson
Emmett Colvin Jr.
John T. Boyce
Vernon Kelly
Robert Benavides
Bill Shaw

(Mount Clipping in Space Below)

Jack Ruby's Stories Seen Ruin of Warren Commission

By ROBERT L. HASSETT

Atty. Melvin Belli charged here yesterday that publication of Jack Ruby's testimony before the Warren Commission in advance of an appeal of the death sentence by Lee Harvey Oswald's slayer has "destroyed the integrity" of the body formed to investigate the assassination of President Kennedy.

And he said that the statement of Chief Justice Earl Warren at the start of the probe that some facts surrounding the murder of the 35th President might not be divulged in our lifetime was "a most unfortunate remark."

WILD RUMORS

Belli, Ruby's trial lawyer, said that the statement gave rise to speculation abroad that there is a "secret, unseen government" in the U.S. and touched off fantastic rumors about the assassina-

tion, which have souped their way since into the European press.

"I had hoped that the Warren Commission would issue a dignified report, one that would completely lay at rest for all time rumors and canards," Belli said.

"But the leak to a columnist of Ruby's testimony before the Chief Justice has detracted horribly from the Commission and detracted from the efficacy of its report."

The San Francisco attorney's comments were made during the

taping of a television interview, and at a news conference afterward.

Ruby's answers to questions posed by Chief Justice Warren and Commission investigators were the basis of a copyrighted series of stories by Dorothy Kilgallen of The New York Journal-American and of accounts carried by the national wire services.

Belli, fired by Ruby after his conviction for murder with malice and sentencing to the electric chair last March 14, termed "ab-

that his chief defense counsel had prevented him from taking the witness stand.

"Ruby pleaded with me not to put him on the stand," Belli said, "he told me, 'If I go on they'll cut me to ribbons.'"

Belli attributed Ruby's contradictory version to an increasing deterioration of his mental faculties from the moment President Kennedy was slain last Nov. 22.

SHOWMAN'S FAILURE

Belli failed to convince a Dallas County jury that Ruby was suffering from psychomotor epilepsy and so was of unsound mind when he shot Oswald to death two days after the assassination.

Despite the swift return of a guilty verdict without a recommendation for mercy, Belli said that if he were to retry the Ruby case he would follow the original defense pattern.

"Psychiatric defense in Jack's case is the only defense, because it is based on the true state of his brief on an appeal to the Texas Court of Criminal Appeals, Belli said, but his role in the Ruby case apparently will end there.

Asked what he would do if there is a new trial and Ruby asks him again to represent him, Belli pondered the question, then replied, "I'd have to say one to a customer, once in a lifetime."

Ruby's best course, Belli said, is to retain Dallas Attys. Phil Burkson and Clayton Fowler if

the Texas appellate court sets aside his conviction.

It is likely, Belli said, that the case will ultimately reach the U.S. Supreme Court.

In the event it does, Chief Justice Warren has disqualified himself from participating in its decision, Belli said.

"He (Warren) never should have gone there (to Ruby's cell in the Dallas County Jail) and taken testimony from him before the appeal," Belli asserted.

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Miss Holmes _____
Miss Gandy _____

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BOSTON GLOBE
— Boston, Mass.

10 BOSTON HERALD
— Boston, Mass.

BOSTON TRAVELER
— Boston, Mass.

CHRISTIAN SCIENCE
— MONITOR
Boston, Mass.
RECORD AMERICAN
— Boston, Mass.

*Robert L. Hassett

Date: 8/23/64
Edition: Late City (Sunday)
Author: *
Editor: David J. Farrell
Title: Jack Ruby

Character:

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Classification: 44-

Submitting Office:

Boston

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U.S. Probing Leak of Ruby Testimony

The "premature publication" of testimony given by Jack Ruby to the Warren commission is under Federal investigation, a spokesman for the presidential panel said yesterday.

J. Lee Rankin, commission counsel, made the disclosure in a telegram sent to a California newspaper editor who demanded "equal treatment" in the release of official reports on the investigation of President Kennedy's assassination.

Ruby, convicted murderer of the President's alleged assassin, Lee Harvey Oswald, was examined by Chief Justice Earl Warren and others on June 7 in the Dallas County jail.

What was said to be a verbatim account of part of this testimony appeared in the New York Journal-American in an article by Dorothy Kilgallen. Later, the account appeared in other papers.

Miss Kilgallen was quoted as saying she received her information from "sources close to the Warren commission in Washington."

The transcript showed that Oswald's killing, according to Ruby, was his idea alone.

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The Wall Street Journal _____
The National Observer _____
People's World _____
Date 8/21/64

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Witness Tells A Misty and Strange Story

[Full Q. and A.—Pages 6, 7, 8]

By DOROTHY KILGALLEN

Copyright, 1964, by The New York Journal-American

The transcript of Jack Ruby's testimony to Chief Justice Earl Warren and other members of the Warren Commission probing the assassination of President Kennedy concludes today.

Previous portions of the testimony were printed Tuesday and yesterday.

In the testimony published today, there are these new facts:

1—Ruby told the Chief Justice that the murder of the President was the result of a plot, but said he wasn't part of it.

2—He evaded a direct answer when asked if he, Police Officer J. D. Tippit and two other men met in Ruby's Carousel Club "shortly before the assassination." Officer Tippit was shot and killed by Lee Harvey Oswald less than an hour after his alleged assassination of the President.

3—Ruby denied widely circulated reports that he visited Parkland Hospital, where the President died, on the day of the assassination.

4—Continuing to intimate that sinister forces, (Ruby mentioned the John Birch Society in this connection) are at work in Dallas, Ruby told Mr. Warren:

"You have a lost cause, Earl Warren. You don't stand a chance.

"They (not further identified) feel about you like they do about me."

No Identity for 'Plotters'

In his own rambling, sometimes vague way of testifying, Ruby dropped his bombshell towards the end of his interrogation by the Chief Justice and other members of the Warren Commission probing the President's murder.

"... At this moment," he told Mr. Warren, "there is a certain organization in this area that has been indoctrinated, that I am the one that was in the plot to assassinate our President."

The key words are Ruby's reference to "the plot."

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The National Observer _____
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He is definite about this—that the plot did exist. Ruby does not identify those who conspired to murder John F. Kennedy in Dallas last Nov. 22.

But he is mortally afraid of being linked with them.

He is certain, for example, that the John Birch Society believes he was involved. This was brought out in his statement referring to the "certain organization in this area that has been indoctrinated . . ."

J. Lee Rankin, the Warren Commission's General Counsel, then asked Ruby:

"Would you tell us what this (the organization) is?"

"The John Birch Society," Ruby replied.

MR. RANKIN: Can you tell us what basis you have for that?

RUBY: Just a feeling of it.

Throughout his testimony to the Warren Commission, Ruby steadfastly denied that he was part of any plot to assassinate Mr. Kennedy. And he denied as well that he was acting as part of a conspiracy when he shot and killed Lee Harvey Oswald, the President's alleged assassin.

"I am as innocent regarding any conspiracy as any of you gentlemen in the room," Ruby said at one point.

Fears Assassination Charge

But time and again he returned to the idea that such an accusation might be leveled against him.

"The people that have the power here . . . they already have me as the accused assassin of our beloved President," Ruby stated.

Then, turning to the Chief Justice, Ruby inquired:

"That goes over your head, doesn't it?"

"Well, I don't quite get the full significance of it, Mr. Ruby," Mr. Warren answered. "I know what you feel about the John Birch Society."

"Very powerful," Ruby declared.

"I think it is powerful, yes I do," the Chief Justice agreed. "Of course I don't have all the information that you feel you have on that subject."

"Unfortunately," Ruby countered, "you don't."

At still another point in his testimony, Ruby cried out:

"I have been used for a purpose, and there ~~will~~ be certain tragic occurrence happening if you don't take my testimony and somehow vindicate me . . ."

"But we have taken your testimony," Mr. Warren assured him. "We have it here. It will be in permanent form for the President of the United States and for the Congress of the United States, and for the Courts of the United States, and for the people of the entire world."

"You have lost me though," Ruby answered. "You have lost me, Chief Justice Warren."

It is evident then that as he sits in the Dallas County Jail under a sentence of death for killing Oswald, Jack Ruby has for daily company his own private demons.

And while Ruby, who once prided himself on being a tough little guy, fears being linked directly to the President's murder, he also lives in terror of a nameless "they."

"They" are after him and his family.

"My brother who has a successful business, I know he is going to be killed," Ruby told the Commission with certainty.

And when the Chief Justice promised Ruby that he would be allowed to take a polygraph test, the balding, pasty-faced killer said:

"These things are going to be promised, but you see they aren't going to let me do these things. Because when you leave here, I am finished. My family is finished."

Later, he said:

"You won't ever see me again, I tell you that. And I have lost my family . . ."

And finally, in a moment of naked fear, Ruby called out to Mr. Warren:

"No, no, you don't believe me, do you?"

With that, the disintegration of Jack Ruby was complete.

'Let's Not Break Up Too Soon'

It was a disintegration that occurred late in the proceedings. But once started, there was nothing Jack Ruby could do to stop it.

For a better part of the three hours and five minutes that he was interrogated, Jack Ruby had dominated.

He had demanded to be taken to Washington. He had lashed out angrily at his defense attorney. He had addressed the Chief Justice on friendly, almost familiar terms.

But then there came the point where Ruby thought the Chief Justice and his aides were about to leave him.

"You can get more out of me," Ruby pleaded. "Let's not break up too soon."

So they stayed for a while longer. But finally the moment came when they did leave the Dallas County Jail.

And Jack Ruby was left behind—in the company of his own private demons.

Though the Warren Commission will not make public the findings of its investigation into the death of the President until sometime next month, I obtained a copy of the original transcript through sources close to the Commission in Washington.

In that portion of the transcript printed yesterday, Ruby's testimony drew to a close with the Chief Justice asking him if he had ever been "interested in shipping jeeps down to Cuba."

RUBY: No . . . I never had the facilities or capabilities of knowing where to get jeeps.



Chief Justice Warren Was Patient

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RUBY Q. & A.—CONCLUSION

CONFIDENTIAL PRESIDENT'S COMMISSION ON THE ASSASSINATION OF PRESIDENT KENNEDY

Dallas, Texas
 Sunday, June 7, 1964
 11:45 a.m.-2:50 p.m.

PROCEEDINGS

RUBY: How can I prove the authenticity of what I have stated here today?

CHIEF JUSTICE WARREN: Well, you have testified under oath, and I don't even know that there is anything to disprove what you have said.

RUBY: No, because I will say this. You don't know if there is anything to disprove, but at this moment, there is a certain organization in this area that has been indoctrinated, that I am the one that was in the plot to assassinate our President.

MR. RANKIN: Would you tell us what this is?

RUBY: The John Birch Society.

MR. RANKIN: Can you tell us what basis you have for that, Mr. Ruby?

RUBY: Just a feeling of it. Mr. Warren, you don't recall when I—Friday night after leaving the Times Herald, I went to my apartment and very impatiently awakened George Senator. As a matter of fact, used the words, as I state, "You will have to get up, George. I want you to go with me. And he had been in bed for a couple of hours, which was about, I imagine, about 4:30 or a quarter to 5:00 in the morning. And I called the Club and I asked this kid Larry if he knew how to pack a Polaroid, and he said "Yes."

And I said "Get up." And we went down and picked up Larry. And in the meantime, I don't recall if I stopped at the Post Office to find out this box number of this Bernard Welsman. I think the box number was 1792, or something to that; and then there was, it came to my mind when I left the Times Herald—I am skipping back—why I had awakened George. I recall seeing a sign on a certain billboard "Impeach Earl Warren." You have heard something about that?

CHIEF JUSTICE WARREN: I read something in the paper, yes, that is all.

RUBY: And it came from New Bedford, or Massachusetts; I don't recall what the town was. And there was a similar number to that, but I thought at the time it would be the same number of 1792, but it was 1757. That is the reason I went down there to take the Polaroid picture of it, because of that remaining in the City at the time. What happened to the picture, I don't know. I asked Jim Bowie or Alexander to tell you.

MR. RANKIN: Did you know Welsman before that?

RUBY: Never knew him. When I said Jim Bowie, no one says a word.

MR. BOWIE: We never have seen them.

The Washington Post and Times Herald _____
 The Washington Daily News _____
 The Evening Star _____
 New York Herald Tribune _____
 New York Journal-American 1 _____
 New York Mirror _____
 New York Daily News _____
 New York Post _____
 The New York Times _____
 The Worker _____
 The New Leader _____
 The Wall Street Journal _____
 The National Observer _____
 People's World _____
 Date _____

JUN 20 1964

Who Was the Rich Oil Man?

RUBY: They were in my person.

MR. BOWIE: But no evidence came?

RUBY: No, it did not, never. As a matter of fact I went to the Post Office to check on Box 1792. I even inquired with the man in charge of where you purchase the boxes, and I said to him, "Who bought this box?" And he said, "I can't give you the information. All I know is, it is a legitimate business box purchase." And I checked the various contents of mail there.

MR. RANKIN: Did you know officer Tippit?

RUBY: I knew there was three Tippits on the force. The only one I knew used to work for the Special Services, and I am certain this wasn't the Tippit, wasn't the man.

MR. RANKIN: The man that was murdered. There was a story that you were seen sitting in your Carousel Club with Mr. Weisman, Officer Tippit, and another who has been called a rich oil man, at one time shortly before the assassination. Can you tell us anything about that?

RUBY: Who was the rich oil man?

MR. RANKIN: Can you remember? We haven't been told. We are just trying to find out anything that you know about him.

RUBY: I am the one that made such a big issue of Bernard Weisman's ad. Maybe you do things to cover up, if you are capable of doing it. As a matter of fact, Saturday afternoon we went over to the tour of his lounge, and it was a whole hullabaloo, and I showed the pictures "Impeach Earl Warren" to Belocchio, and he saw the pictures and got very emotional. And Belocchio said, "I have got to leave Dallas."

And suddenly after making that statement, I realized it is his incapability, and suddenly you do things impulsively, and suddenly you realize if you love the City, you stay here and you make the best of it. And there were witnesses. I said, "The City was good enough for you all before this. Now you feel that way about it." And that was Belocchio. As far as Tippit, it is not Tippitts, it is not Tippitts, it is Tippit.

MR. RANKIN: This Weisman and the rich oil man, did you ever have a conversation with them?

RUBY: There was only a few. Bill Rudman from the YMCA, and I haven't seen him in years. And there is a Bill Howard, but he is not a rich oil man. He owns the Stork Club now. He used to dabble in oil.

'I Have Never Been in Jail'

CHIEF JUSTICE WARREN: This story was given by a lawyer by the name of Mark Lane, who is representing Mrs. Marguerite Oswald, the mother of Lee Harvey Oswald, and it was in the paper, so we subpoenaed him, and he testified that someone had given him information to the effect that a week or two before President Kennedy was assassinated, that in your Carousel Club you and Weisman and Tippit, Officer Tippit, the one who was killed, and a rich oil man had had an interview or conversation for an hour or two.

And we asked him who it was that told him, and he said that it was confidential and he couldn't tell at the moment, but that he would find out for us if whether he could be released or not from his confidential relationship. He has never done it, and we have written him several letters asking him to disclose the name of that person, and he has never complied.

RUBY: Isn't that foolish? If a man is patriotic enough in the first place, who am I to be concerned if he wasn't an informer. I am incarcerated, nothing to be worried about anyone hurting me.

CHIEF JUSTICE WARREN: Mr. Ruby, I am not questioning your story at all. I wanted you to know the background of this thing, and to know that it was with us only hearsay. But I did feel that our record should show that we would ask you the question and that you would answer it, and you have answered it.

RUBY: How many days prior to the assassination was that?

CHIEF JUSTICE WARREN: My recollection is that it was a week or two. Is that correct?

RUBY: Did anyone have any knowledge that their beloved President was going to visit here prior to that time, or what is the definite time that they knew he was coming to Dallas?

CHIEF JUSTICE WARREN: Well, I don't know just what those dates are.

RUBY: I see.

CHIEF JUSTICE WARREN: I just don't know. Well, we wanted to ask you that question, because this man had testified and we have been trying ever since to get him to give the source of his information, but he will not do it, so we will leave the matter as it is.

RUBY: No. I am as innocent regarding any conspiracy as any of you gentlemen in the room, and I don't want anything to be run over lightly. I want you to dig into it with any biting, any question that might embarrass me, or anything that might bring up my background, which isn't so terribly spotted—I have never been a criminal—I have never been in jail—I know when you live in the City of Chicago and you are in the livelihood of selling tickets to sporting events, your lucrative patrons are some of these people, but you don't mean anything to these people. You may know them as you get acquainted with them at the sporting events or the ball park.

CHIEF JUSTICE WARREN: The prize fights?

RUBY: The prize fights. If that was your means of livelihood, yet you don't have no other affiliation with them, so when I say I know them, or what I have read from stories of personalities that are notorious, that is the extent of my involvement in any criminal activity. I have never been a book-maker. I have never stolen for a living. I am not a gangster. I have never used a goon squad for unions activities.

All I was, was a representative to sound out applications for the American Federation of Labor, and if the employees would sign it, we would accept them as members. I never knew what a goon looked like in Chicago, with the exception when I went to the service. I never belonged to any subversive organization. I don't know any subversive people that are against my beloved country.

MR. RANKIN: You have never been connected with the Communist Party?

RUBY: Never have. All I have ever done in my life—I had a very rough start in life, but anything I have done, I at least try to do it in good taste, whatever I have been active in.

MR. RANKIN: There was a story that you had a gun with you during the show up that you described in the large room there.

RUBY: I will be honest with you. I lied about it. It isn't so. I didn't have a gun. But in order to make my defense more accurate, to save your life, that is the reason that statement was made.

MR. RANKIN: It would be quite helpful to the Commission if you could—in the first place, I want to get to the trip to Cuba. Was that in 1959?

RUBY: Yes. Because I had to buy a \$2 ticket, a pass to get through Florida.

Any Other Trip to Cuba?

MR. RANKIN: Did you have any other trip to Cuba?

RUBY: Never. That is the only one that I made. I stayed at the Volk's Apartments with Mr. McWillie, lived in his apartment. Ate directly in a place called Wolf's, downstairs. Wouldn't know how to speak their language. I wouldn't know who to communicate with them. I probably had two dates from meeting some young ladies I got to dancing with, because my dinners were served in the Tropicana. One thing I forgot to tell you—you are bringing my mind back to a few things—the owners, the greatest that have been expelled from Cuba, are the Fox brothers. They own the Tropicana.

MR. RANKIN: Who are the Fox brothers?

RUBY: Martin Fox, and I can't think of the other name.

MR. RANKIN: Do you know where they are located now?

RUBY: They are in Miami, Florida. They know everything about McWillie, I heard; and know the officials. I met McWillie because he came to the Club, and he came to the Club to look over the show. And you get to talk to people and meet a lot of different types of people. The Fox brothers came to Dallas—I don't know which one it was—to collect a debt that some man owed the Cotton Gin Company here.

Do you know their name, Mr. Bowie?

MR. BOWIE: Murray, or something.

RUBY: He gave me some bad checks on a gambling debt, and they came to visit me. The lawyer, I think, is Mark Lane. That is the attorney that was killed in New York?

CHIEF JUSTICE WARREN: That is the fellow who represents or did represent Mrs. Marguerite Oswald. I think I read in the paper where he no longer represents her.

MR. RANKIN: He is still alive though.

CHIEF JUSTICE WARREN: Oh yes.

RUBY: There was one Lane that was killed in a taxicab. I thought he was an attorney in Dallas.

CHIEF JUSTICE WARREN: That was a Dave Lane.

RUBY: There is a very prominent attorney in Dallas, McCord. McCord represents the Fox brothers here. They called me because the Fox brothers wanted to see me, and I came down to the hotel. And Mrs. McWillie—Mr. McWillie was married to her at that time—and if I recall, I didn't show them off to the airport at that time. That is when they were still living in Havana, the Fox brothers. We had dinner at—how do you pronounce that restaurant at Love Field? Luau? That serves this Chinese food. Dave McCord, I was in his presence, and I was invited out to dinner, and there was an attorney by the name of Leon. Is he associated with McCord? And there was a McClain.

CHIEF JUSTICE WARREN: Alfred was killed in a taxi in

New York.

RUBY: He was at this dinner meeting I had with McCord. I don't know if Mrs. McWillie was along. And one of the Fox brothers, because they had just been awarded the case that this person owns, this Gin Company, that was compelled to pay off.

MR. RANKIN: I think, Mr. Ruby, it would be quite helpful to the Commission if you could tell, as you recall it, just what you said to Mr. Sorrells and the others after the shooting of Lee Harvey Oswald. Can you recall that?

Very Much Broken Up

RUBY: The only one I recall Mr. Sorrells in, there were some incorrect statements made at this time.

MR. RANKIN: Can you tell us what you said?

CONGRESSMAN FORD: First, tell us when this took place.

MR. RANKIN: How soon after the shooting occurred?

RUBY: Well, Ray Hall was the first one that interrogated me. Wanted to know my whole background.

MR. RANKIN: Can you tell us how soon was it? Within a few minutes after the shooting?

RUBY: No. I waited in a little room there somewhere upstairs in—I don't know what floor it was. I don't recall.

MR. RANKIN: Where did this occur, on the third floor?

RUBY: One of those floors. I don't know whether it was the third or the second. If you are up on an elevator—

MR. RANKIN: Can you give us any idea of the time after the shooting?

RUBY: I spent an hour with Mr. Hall, Ray Hall. And I was very much, I was very much broken up emotionally, and I constantly repeated that I didn't want Mrs. Kennedy to come back to trial, and those were my words constantly repeated to Mr. Hall.

And I heard there was a statement made—now I am skipping—and then I gave Mr. Hall my complete background about things he wanted to know, my earlier background going back from the years, and I guess there was nothing else to say to Hall because as long as I stated why I did it—it is not like planning a crime and you are confessing something. I already confessed, and all it took is one sentence why I did it. Now what else could I have said that you think I could have said? Refresh my memory a little bit.

MR. RANKIN: There was a conversation with Mr. Sorrells in which you told him about the matter. Do you remember that?

RUBY: The only thing I ever recall I said to Mr. Ray Hall and Sorrells was, I said, "Being of Jewish faith, I wanted to show my love for my President and his lovely wife." After I said whatever I said, then a statement came out that someone introduced Mr. Sorrells to me and I said, "What are you, a newsman." Or something to that effect. Which is really—what I am trying to say is, the way it sounded is like I was looking for publicity and inquiring if you are a newsman, I wanted to see you.

But I am certain—I don't recall definitely, but I know in my right mind, because I know my motive for doing it, and certainly to gain publicity to take a chance of being mortally wounded, as I said before, and who else could have timed it so perfectly by seconds.

If it were timed that way, then someone in the Police Department is guilty of giving the information as to when Lee Harvey Oswald was coming down.

I never made a statement. I never inquired from the television man what time is Lee Harvey Oswald coming down. Because really, a man in his right mind would never ask that question. I never made the statement "I wanted to get three more off. Someone had to do it. You wouldn't do it." I never made those statements.

'No Malice in Me...'

I never called the man by any obscene name, because as I stated earlier, there was no malice in me. He was insignificant, to my feelings for my love for Mrs. Kennedy and our beloved President. He was nothing comparable to them, so I can't explain it.

I never used any words—as a matter of fact, there were questions at the hearing with Roy Pryor and a few others—I may have used one word "a little weasel" or something, but I didn't use it, I don't remember, because Roy said it. If he said I did, I may have said it. I never made the statement to anyone that I intended to get him. I never used the obscene words that were stated. Anything I said was the emotional feeling of I didn't want Mrs. Kennedy to come back to trial.

CONGRESSMAN FORD: It has been alleged that you went out to Parkland Hospital.

RUBY: No, I didn't go there. They tried to ask me. My sisters asked me. Some people told my sister "that you were there. I am of sound mind. I never went there. Everything that transpired during the tragedy, I was at the Morning News building.

CONGRESSMAN FORD: You didn't go out there subsequent to the assassination?

RUBY: No. In other words, like somebody is trying to make me something of a martyr in that case. No, I never did. Does this conflict with my story and yours in great length?

MR. MOORE: Substantially the same, Jack, as well as I remember.

MR. RANKIN: Did you say anything about people of your religion have guts, or something like that?

RUBY: I said it. I never said it up there. I said, I could have said, "Weren't you afraid of getting your head blown off?" I said, "Well, to be truthful, I have a little nerve." I could have said that. Now I could have said to the doctor that was sent to me, Bromberg, because there is a certain familiarity you have because it is like you have an attorney representing you, it is there. I mean, it is there.

But I did say this. McWillie made a statement about me, something to the effect that "he is considered a pretty rough guy," this McWillie. He said, "One thing about Jack Ruby, he runs this Club and no one runs over him." And you have a different type of entertainment here than any other part of the country, our type of entertainment. But I don't recall that. I could have said the sentimental feeling that I may have used.

—CONGRESSMAN FORD: When you flew to Cuba, where did you go from Dallas en route? What was the step by step process by which you arrived at Havana?

RUBY: I think I told Mr. Moore I stopped in New Orleans. Sometime I stopped in New Orleans, and I don't remember if I stopped in Florida or New Orleans, but I know I did stop in New Orleans, because I bought some Carioca Rum coming back.

I know I was to Miami on a stopover. I could have been on the way back. I only went to Cuba once, so naturally, when I bought the Carioca Rum, there was a couple of fellows that sell tickets for Delta Airlines, and they know me like I know you, and I am sure you gentlemen have spoken to them, and they were to tell me where to go in Havana, and have a ball, and I told them why I was going there, and who I was going to look up, and everything else.

Moments After Shooting

CONGRESSMAN FORD: They were Delta Airlines employees, in New Orleans or Dallas?

RUBY: No, in New Orleans. Evidently I went out to Delta Airlines at Love Field and caught the plane. I may have taken the flight—here is what could have happened. I could have made a double stop from Havana on the way back in taking in Miami, and then taking another plane to New Orleans, I am not certain. But I only made one trip to Havana. Yet I know I was in Miami, Florida, and I was in New Orleans. And the next time I went to New Orleans, when I tried to look up some show girl by the name of Jada, I stopped in to see the same fellows at Delta Airlines.

MR. RANKIN: Do you recall going up the elevator after the shooting of Oswald?

RUBY: That is so small to remember, I guess it is automatic, you know.

MR. RANKIN: Did you have this gun a long while that you did the shooting with?

RUBY: Yes.

MR. RANKIN: You didn't carry it all the time?

RUBY: I did. I had it in a little bag with money constantly. I carry my money.

CHIEF JUSTICE WARREN: Congressman, do you have anything further?

RUBY: You can get more out of me. Let's not break up too soon.

CONGRESSMAN FORD: When you got to Havana, who met you in Havana?

RUBY: McWillie. Now here is what happened. One of the Fox brothers came to visit me in Dallas with his wife; they came to the Vegas Club with Mrs. McWillie, and we had taken some pictures, 8x10's. Evidently the Fox's were in exile at that time, because when I went to visit McWillie, when he sent me the plane tickets, they looked through my luggage and they saw a photograph of Mr. Fox and his wife. They didn't interrogate, but they went through everything and held me up for hours.

—CONGRESSMAN FORD: Castro employees?

RUBY: Yes. Because evidently, in my ignorance, I didn't realize I was bringing a picture they knew was a bitter enemy. At that time they knew that the Fox brothers weren't going to jail, or something was going to happen. Whether it was they were in exile at that time, I don't know. But they came to my club, the Vegas Club, and we had taken pictures.

Mr. McWillie was waiting for me, and he saw me go through the Customs line for a couple of hours, and he said, "Jack, they never did this to anyone before." Evidently they had me pretty well lined up as to where I come in the picture of Mr. Rivera Fox. I can't think of his name.

CONGRESSMAN FORD: You spent eight days there in Havana?

RUBY: Yes, approximately.

CONGRESSMAN FORD: And you stayed at the apartment of Mr.—

RUBY: Volk's Apartments. I never used the phone. I wouldn't know how to use the phone. Probably to call back to Dallas. And the only time Mr. McWillie had to be at the Club early, so I remained a little later in town—not often—because I saved money when I rode with him, because they charge you quite a bit. But I didn't want to get there too early, because to get there at 7:00 o'clock wasn't very lively. Because I would always be with him for the complete evening. We leave the place and stop somewhere to get coffee, a little dugout—I saw Ava Gardner down there at the time when I was there. She was visiting there.

CONGRESSMAN FORD: What prompted you to leave at the end of eight days?

RUBY: I was bored because gambling isn't my profession, and when you have a business to run, and there weren't many tourists I could get acquainted with there. I went to the Capri rooftop to go swimming, and went to the Nacional to go swimming once.

CONGRESSMAN FORD: Did you ever go to Mexico? Have you ever been to Mexico?

RUBY: The only time, thirty or forty years ago, 1934.

CONGRESSMAN FORD: This trip to Cuba was the only time you left the country other than military service?

RUBY: Actually I didn't leave in the military. I was stationed three and a half years in the States. Let's see, never out of the United States except at one time to Havana, Cuba.

CHIEF JUSTICE WARREN: Now you said there were some other things. Would you mind telling us anything you have on your mind?

RUBY: No, because as I said earlier, you seem to have gotten the juicy part of the story up to now in the various spasmodic way of my telling it. How valuable am I to you to give you all this information?

CHIEF JUSTICE WARREN: Well, how valuable is rather an indefinite term, but I think it is very helpful to our Commission Report. I think the report would have been deficient if it had not been for this interview we have had with you. So we are interested in anything that you would like to tell us, in your own language.

RUBY: The only thing is this. If I cannot get these tests you give, it is pretty haphazard to tell you the things I should tell you. Mr. Moore, you seem to have known more about my interrogation than anybody else, right?

MR. MOORE: I think you have told us about everything you told me.

MR. RANKIN: It isn't entirely clear how you feel that your family and you yourself are threatened by your telling what you have to the Commission. How did you come to the conclusion that they might be killed? Will you tell us a little bit more about that, if you can?

RUBY: Well, assuming that, as I stated before, some persons are accusing me falsely of being part of the plot—naturally, in all the time from over six months ago, my family has been so interested in helping me.

MR. RANKIN: By that, you mean a party to the plot of Oswald?

RUBY: That I was party to a plot to silence Oswald.

All right now, when your family believes you and knows your mannerisms and your thoughts, and knows your sincerity, they have lived with you all your life and know your emotional feelings and your patriotism—on the surface, they see me only as the guilty assailant of Oswald, and by helping me like they

have, going all out. My brother who has a successful business, I know is going to be killed. And I haven't seen him in years. And suddenly he feels that he wants to help me, because he believes that I couldn't be any further involved than the actual.

When I told him I did it because of Mrs. Kennedy, that is all he had to hear, because I would never involve my family or involve him in a conspiracy. Everyone haven't let me down. Because they read the newspapers away from Dallas that stated certain facts about me but they are untrue, because they wouldn't come out and put those things in the newspapers that they should be putting in; and people outside of Dallas read the Dallas newspapers and are all in sympathy with me, as far as the country itself.

That they felt, well, Jack did it. They probably felt they would do the same thing. That sympathy isn't going to help me, because the people that have the power here, they have a different verdict. They already have me as the accused assassin of our beloved President. Now if I sound screwy telling you this, then I must be screwy.

CHIEF JUSTICE WARREN: Mr. Ruby, I think you are entitled to a statement to this effect, because you have been frank with us and have told us your story. I think I can say to you that there has been no witness before this Commission out of the hundreds we have questioned who has claimed to have any personal knowledge that you were a party to any conspiracy to kill our President.

RUBY: Yes. But you don't know this area here.

CHIEF JUSTICE WARREN: No, I don't vouch for anything except that I think I am correct in that, am I not?

MR. RANKIN: That is correct.

CHIEF JUSTICE WARREN: I just wanted to tell you before our own Commission, and I might say to you also that we have explored the situation.

Birch Society 'Falsehoods'

RUBY: I know, but I want to say this to you. If certain people have the means and want to gain something by propagandizing something to their own use, they will make ways to present certain things that I do look guilty.

CHIEF JUSTICE WARREN: Well, I will make this additional statement to you, that if any witness should testify before the Commission that you were, to their knowledge, a party to any conspiracy to assassinate the President, I assure you that we will give you the opportunity to deny it and to take any tests that you may desire to disprove it. I don't anticipate that there will be any such testimony, but should there be, we will give you that opportunity. Does that seem fair?

RUBY: No. That isn't going to save my family.

CHIEF JUSTICE WARREN: Well, we can't do everything at once.

RUBY: I am in a tough spot, and I don't know what the solution can do to save me. And I know our wonderful President, Lyndon Johnson, as soon as he was the President of his country, he appointed you as head of this group. But through certain falsehoods that have been said about me to other people, the John Birch Society, I am as good as guilty as the accused assassin of President Kennedy. How can you remedy that, Mr. Warren? Do any of you men have any ways of remedying that? Mr. Bill Decker said be a man and speak up. I am making a statement now that I may not live the next hour when I walk out of this room.

Now it is the most fantastic story you have ever heard in a lifetime. I did something out of the goodness of my heart. Unfortunately, Chief Earl Warren, had you been around five or six months ago, and I know your hands are tied, you couldn't do it, and immediately the President would have gotten a hold of my true story, or whatever would have been said about me, a certain organization wouldn't have so completely formed now, so powerfully, to use me because I am of the Jewish extraction, Jewish faith, to commit the most dastardly crime that has ever been committed.

Can you understand now in visualizing what happened, what powers, what momentum has been carried out to create this feeling of mass feeling against my people, against certain people that were against them prior to their power. That goes

over your head, doesn't it?

CHIEF JUSTICE WARREN: Well, I don't quite get the full significance of it, Mr. Ruby. I know what you feel about the John Birch Society.

RUBY: Very powerful.

CHIEF JUSTICE WARREN: I think it is powerful, yes I do. Of course I don't have all the information that you feel you have on that subject.

RUBY: Unfortunately, you don't have, because it is too late. And I wish that our beloved President, Lyndon Johnson, would have delved deeper into the situation, hear me, not to accept just circumstantial facts about my guilt or innocence, and would have questioned to find out the truth about me before he relinquished certain powers to these certain people.

CHIEF JUSTICE WARREN: Well, I am afraid I don't know what powers you believe he relinquished to them. I think that is difficult about what you have to say.

RUBY: I want to say this to you. The Jewish people are being exterminated at this moment. Consequently, a whole new form of government is going to take over our country, and I know I won't live to see you another time. Do I sound sort of screwy in telling you these things?

CHIEF JUSTICE WARREN: No, I think that is what you believe, or you wouldn't tell it under your oath.

RUBY: But it is a very serious situation. I guess it is too late to stop it, isn't it? All right, I want to ask you this. All you men have been chosen by the President for this committee, is that correct?

CHIEF JUSTICE WARREN: Congressman Ford and I are the only members of the Commission that are here. Mr. Rankin of the Commission is employed as our Chief Counsel. Mr. Rankin employed Mr. Specter and Mr. Ball as members of the staff. You know who the other gentlemen here are. You know that Mr. Moore is a member of the Secret Service, and he has been a liaison officer with our staff since the Commission was formed.

— Demands to See LBJ —

CONGRESSMAN FORD: Are there any other questions that ought to be asked to help clarify the situation that you described?

RUBY: There is only one thing. If you don't take me back to Washington tonight to give me a chance to prove to the President that I am not guilty, then you will see the most tragic thing that will ever happen. And if you don't have the power to take me back, I won't be around to be able to prove my innocence or guilt. Now up to this moment, I have been talking with you for how long?

CHIEF JUSTICE WARREN: I would say for the better part of three hours.

RUBY: All right, wouldn't it be ridiculous for me to speak sensibly all this time and give you this climatic talk that I have. Maybe something can be saved, something can be done. What have you got to answer to that, Chief Justice Warren?

CHIEF JUSTICE WARREN: Well, I don't know what can be done, Mr. Ruby, because I don't know what you anticipate we will encounter.

CONGRESSMAN FORD: Is there anything more you can tell us if you went back to Washington?

RUBY: Yes. Are you sincere in wanting to take me back?

CONGRESSMAN FORD: We are most interested in all the information you have.

RUBY: All I know is maybe something can be saved. Because right now, I want to tell you this, I am used as a scapegoat, and there is no greater weapon that you can use to create some falsehood about some of the Jewish faith, especially the terrible heinous crime such as the killing of President Kennedy. Now maybe something can be saved. It may not be too late, whatever happens, if our President, Lyndon Johnson, knew the truth about me. But if I am eliminated, there won't be any way of knowing.

Right now, when I leave your presence now, I am the only one that can bring out the truth to our President, who believes in righteousness and justice. But he has been told, I am certain, that I was part of a plot to assassinate the President. I know your hands are tied; you are helpless.

CHIEF JUSTICE WARREN: Mr. Ruby, I think I can say this to you, that if he has been told any such thing, there is no indication of any kind that he believes it.

RUBY: I am sorry, Chief Justice Warren, I thought I would be very effective in telling you what I have said here. But in all fairness to everyone, maybe all I want to do is beg that if they found out I was telling the truth, maybe they can succeed in what their motives are, but maybe my people won't be tortured and mutilated.

CHIEF JUSTICE WARREN: Well, you may be sure that the President and his whole Commission will do anything that is necessary to see that your people are not tortured.

RUBY: No.

CHIEF JUSTICE WARREN: You may be sure of that.

RUBY: No. The only way you can do it is if he knows the truth, that I am telling the truth, and why I was down in that basement Sunday morning, and maybe some sense of decency will come out and they can still fulfill their plan, as I stated before, without my people going through torture and mutilation.

CHIEF JUSTICE WARREN: The President will know everything that you have said, everything that you have said.

RUBY: But I won't be around, Chief Justice. I won't be around to verify these things you are going to tell the President.

MR. TONAHILL: Who do you think is going to eliminate you, Jack?

RUBY: I have been used for a purpose, and there will be certain tragic occurrence happening if you don't take my testimony and somehow vindicate me so my people don't suffer because of what I have done.

CHIEF JUSTICE WARREN: But we have taken your testimony. We have it here. It will be in permanent form for the President of the United States and for the Congress of the United States, and for the Courts of the United States, and for people of the entire world.

It is there. It will be recorded for all to see. That is the purpose of our coming here today. We feel that you are entitled to have your story told.

RUBY: You have lost me though. You have lost me, Chief Justice Warren.

CHIEF JUSTICE WARREN: Lost you in what sense?

RUBY: I won't be around for you to come and question me again.

CHIEF JUSTICE WARREN: Well, it is very hard for me to believe that. I am sure that everybody would want to protect you to the very limit.

RUBY: All I want is a lie detector test, and you refuse to give it to me. Because as it stands now—and the truth serum, and any other—Pentothal—how do you pronounce it, whatever it is. And they will not give it to me, because I want to tell the truth. And then I want to leave this world. But I don't want my people to be blamed for something that is untrue, that they claim has happened.

CHIEF JUSTICE WARREN: Mr. Ruby, I promise you that you will be able to take such a test.

RUBY: When?

CHIEF JUSTICE WARREN: You will have to let me see when we can figure that out. But I assure you, it won't be delayed, because our desire is to terminate the work of the Commission and make our report to the public just as soon as possible, so there won't be any misunderstanding caused by all of these rumors or stories that have been put out that are not consistent with the evidence in the case.

But it will not be unnecessarily delayed, and we will do it on behalf of the Commission, I promise you.

RUBY: All I want, and I beg you—when are you going to see the President?

CHIEF JUSTICE WARREN: Well, I have no date with the President. I don't know just when. But as soon as I do see him, I will be glad to tell him what you have said.

RUBY: All I want is to take a polygraph to tell the truth. That is all I want to do.

CHIEF JUSTICE WARREN: Yes. That, I promise you can do.

RUBY: Because my people are going to suffer about things that will be said about me.

CHIEF JUSTICE WARREN: Yes, well, I promise.

RUBY: Hold on another minute.

CHIEF JUSTICE WARREN: All right.

RUBY: How do you know if the facts I stated about everything I said, statements with reference to, are the truth or not?

CHIEF JUSTICE WARREN: Well, if you want a test made to test those principal questions, we will work them out so they can be tested. As I understand it, you can't use the polygraph to say now this is the story.

RUBY: I know that.

CHIEF JUSTICE WARREN: To say you have the story of Jack Ruby. You can't do that.

RUBY: I know that. You can clarify questioning me when I conceived the idea and what my answer would naturally be that Sunday morning.

'My Family Is Finished'

CHIEF JUSTICE WARREN: Maybe I can help the situation this way. Suppose you list for us, if you can, the questions that you would like to have asked of you on the polygraph to establish the truth of your testimony. What things do you consider vital in it, and what would you like to have verified?

RUBY: Yes. But you are telling me to do these things—these things are going to be promised, but you see they aren't going to let me do these things. Because when you leave here, I am finished. My family is finished.

CONGRESSMAN FORD: Isn't it true, Mr. Chief Justice, that the same maximum protection and security Mr. Ruby has been given in the past will be continued?

RUBY: But now that I have divulged certain information because I want to be honest, all I want to take is a polygraph test and tell the truth about things and combat the lies that have been told about me. Now maybe certain people don't want to know the truth that may come out of me. Is that plausible?

CONGRESSMAN FORD: In other words, the Chief Justice has agreed, and I on the Commission who heartily concur, that you will be given a polygraph test as expeditiously as possible. And I am sure you can rely on what has been stated here by the Chairman.

RUBY: How are we going to communicate and so on?

CHIEF JUSTICE WARREN: We will communicate directly with you.

RUBY: You have a lost cause, Earl Warren. You don't stand a chance. They feel about you like they do about me, Chief Justice Warren. I shouldn't hurt your feelings in telling you that.

CHIEF JUSTICE WARREN: That won't hurt my feelings, because I have had some evidence of the feeling that some people have concerning me.

RUBY: But you are the only one that can save me. I think you can.

CHIEF JUSTICE WARREN: Yes?

RUBY: But by delaying minutes, you lose the chance. And all I want to do is tell the truth, and that is all. There was no conspiracy. But by you telling them what you are going to do and how you are going to do it is too late as of this moment.

CHIEF JUSTICE WARREN: You take my word for it and the word of Commissioner Ford, that we will do this thing at the earliest possible moment, and that it will be done in time. It will be done in time.

RUBY: Well, you won't ever see me again, I tell you that. And I have lost my family.

CHIEF JUSTICE WARREN: Yes?

RUBY: No, no, you don't believe me, do you?

CHIEF JUSTICE WARREN: To be frank with you, I believe that you are not stating now what is the fact. I don't say you don't believe it, but I believe that I will be able to see you again and that we will be able to take this test that you are speaking of.

Well, I think we have tired Mr. Ruby. We have had him here for close to four hours now, and I am sure our reporter must be equally tired, but we appreciate your patience and your willingness to testify in this manner for us.

RUBY: All I want to do is tell the truth, and the only way you can know it is by the polygraph, as this is the only way you can know.

CHIEF JUSTICE WARREN: That we will do for you.





Life in Danger, A Grim Warning To Chief Justice

By DOROTHY KILGALLEN

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This is a continuation of the transcript of the testimony given by Jack Ruby to Chief Justice Earl Warren and other members of the Warren Commission investigating the assassination of President Kennedy.

The transcript is being printed in this newspaper in three installments. The first of these appeared yesterday, and the third will appear tomorrow.

In the testimony published today, Jack Ruby told Chief Justice Warren that:

1—His life was in danger because of the existence of a John Birch Society group in Dallas.

2—Without reference to the Birchers, Justice Warren's life was in danger.

3—He wanted to tell the truth about everything but couldn't tell it in Dallas. He begged the Chief Justice to get him to Washington.

Though the Warren Commission will not make public the findings of its investigation into the death of the President until sometime next month, I obtained a copy of the original transcript of Ruby's highly important testimony through sources close to the Commission in Washington.

Jack Ruby has been convicted of killing Lee Harvey Oswald, President Kennedy's accused assassin. Ruby is now under a sentence of death. He has maintained that he murdered Oswald only to spare the President's widow the anguish of returning to Dallas for the alleged assassin's trial.

In that portion of the transcript which was printed yesterday, Ruby told in great detail of his movements last Nov. 22—the day of President Kennedy's murder.

Tolson _____
Belmont _____
Mohr _____
Casper _____
Callahan _____
Conrad _____
DeLoach _____
Evans _____
Gale _____
Rosen _____
Sullivan _____
Tavel _____
Trotter _____
Tele Room _____
Holmes _____
Gandy _____

The Washington Post and Times Herald _____
The Washington Daily News _____
The Evening Star _____
New York Herald Tribune _____
New York Journal-American _____
New York Mirror _____
New York Daily News _____
New York Post _____
The New York Times _____
The Worker _____
The New Leader _____
The Wall Street Journal _____
The National Observer _____
People's World _____
Date _____

TOP CLIPPING
DATED 1/1/64
FROM 1/1/64
MARKED ENC AND INITIALS

NOT RECORDED
181 SEP 2 1964

THE RUBY Q. AND A.-PART II

CONFIDENTIAL
PRESIDENT'S COMMISSION
ON THE
ASSASSINATION OF PRESIDENT KENNEDY

Dallas, Texas
Sunday, June 7, 1964
11:45 a.m.-2:50 p.m.

PROCEEDINGS

RUBY: I went to the building of the Times Herald. I went to the Times Herald—may I read that, Joe? May I please?

MR. TONAHILL: Sam ever get your glasses?

RUBY: Not yet. (Reading) "This is the girl that"—

(what?)—"that started Jack off." What is this other word?

MR. TONAHILL: Culminated?

RUBY: That is untrue. That is what I wanted to read. (Throwing pad on table.) Gentlemen, unless you get me to Washington, you can't get a fair shake out of me. If you understand my way of talking, you have got to bring me to Washington to get the tests. Do I sound dramatic? Off the beam?

CHIEF JUSTICE WARREN: No, you are speaking very, very rational, and I am really surprised that you can remember as much as you have remembered up to the present time. You have given it to us in detail.

RUBY: Unless you can get me to Washington, and I am not a crackpot, I have all my sense—I don't want to evade any crime I am guilty of. But Mr. Moore, have I spoken this way when we have talked?

MR. MOORE: Yes.

RUBY: Unless you get me to Washington immediately, I am afraid after what Mr. Tonahill has written there, which is unfair to me regarding my testimony here—you all want to hear what he wrote?

CHIEF JUSTICE WARREN: Yes, you might read it. If you need glasses again, try mine this time (handing glasses to Ruby.)

RUBY: (Putting on glasses) "This is the girl"—

MR. TONAHILL: "thing," isn't it?

RUBY: "This is the thing that started Jack in the shooting."

MR. TONAHILL: Kathy Kay was talking about Oswald.

RUBY: You are lying Joe Tonahill. You are lying.

MR. TONAHILL: No, I am not.

RUBY: You are lying, because you know what motivated me. You want to make it that it was a premeditation.

MR. TONAHILL: No.

RUBY: Yes, you do.

MR. TONAHILL: I don't think there was any premeditation, but you go ahead and tell it your way. That is what we want you to do. That is what the Chief Justice wants.

RUBY: Not when you specify this. You are Senator Rankin?

~~MR. RANKIN:~~ No, I am the General Counsel for our Commission, Mr. Ruby.

MR. TONAHILL: You go on and keep telling it down to Caroline and the truth.

CHIEF JUSTICE WARREN: Mr. Ruby, may I suggest this, that if we are to have any tests, either a lie detector or, as you suggest, maybe a truth serum, I don't know anything about truth serum, but if we are to have it, we have to have something to check against, and we would like to have the rest of your story as you started to tell us, because you are now getting down to the crucial part of it, and it wouldn't be fair to you to have this much of it and then not have the rest.

RUBY: Because the reason why, Joe knows from the time that I told Attorney (Melvin) Belli, and the story I wanted to tell on the stand, and Mr. Tonahill knows this isn't the time. The thought never entered my mind. He knows it.

MR. TONAHILL: I didn't say the thought entered your mind. I didn't say that.

RUBY: You are inferring that.

MR. TONAHILL: Unconsciously, maybe, is what I meant to say.

RUBY: Why go back to Friday, Joe?

MR. TONAHILL: You are going to come right down—

RUBY: Why go back to Friday? That set me off. Then it is greater premeditation than you know is true.

MR. TONAHILL: I don't say it is premeditation. I never have. I don't think it is.

'Im Here to Tell the Truth'

RUBY: Because it never entered my mind when they talked about, the officer, cutting him to bits. You would like to have built it up for my defense, but that is not it. I am here to tell the truth.

~~MR. TONAHILL: The psychiatrist said that to me.~~

RUBY: You want to put that into my thoughts, but it

never happened. I took it with a grain of salt what he said at that particular time. Well, it is too bad, Chief Warren, that you didn't get me to your headquarters six months ago.

CHIEF JUSTICE WARREN: Well, Mr. Ruby, I will tell you why we didn't. Because you were then about to be tried and I didn't want to do anything that would prejudice you in your trial. And for that reason, I wouldn't even consider asking you to testify until the trial was over.

That is the only reason that we didn't talk to you sooner. And I wish we had gotten here a little sooner after your trial was over, but I know you had other things on your mind, and

we had other work, and it got to this late date. But I assure you, there is no desire on our part to let this matter go to any late date for any ulterior purpose. I assure you that. And as I told you at the beginning, if you want a test of some kind made, I will undertake to see that it is done.

RUBY: You have power to do it, even though the District Attorney objects to me getting the tests?

CHIEF JUSTICE WARREN: Yes, I do.

RUBY: How soon can it be done?

CHIEF JUSTICE WARREN: Well, I am not familiar with those things, but we will try to do it expeditiously, you may be sure, because we are trying to wind up the work of this Commission. And I assure you we won't delay it.

RUBY: Are you staying overnight here, Chief Warren?

CHIEF JUSTICE WARREN: No, I have to be back, because we have an early session of the court tomorrow morning.

RUBY: Is there any way of getting a polygraph here?

SHERIFF DECKER: May I make a suggestion? Jack, listen, you and I have had a lot of dealings. Do you want my officers removed from the room while you talk to this Commission?

RUBY: That wouldn't prove any truth.

SHERIFF DECKER: These people came several thousand miles to interview you. You have wanted to tell me your story and I have refused to let you tell me. Now be a man with a bunch of men that have come a long way to give you an opportunity to. You asked me for permission to tell your story, and I told you "No." This is a supreme investigating committee at this particular time. Now give them your story and be a man, if you want them to deal with you and deal fairly with you.

RUBY: It is unfair to me unless I get all the facilities to back up what I say.

'Be a Man About It'

SHERIFF DECKER: You tell him your story. Nobody is denying it. You tell this man, he has come a thousand or more miles to listen to you. Now be a man about it.

MR. MOORE: What I suggest: Jack at one time I was a polygraph operator, and you would not be able to go through the entire story that way you have here. So, seriously, you should tell the story and the things you want checked, you can be asked directly. Because you can only answer yes or no on the polygraph examination. So I think in view of what you want, you should tell your story first, and then the points that you want verified, you can be questioned on.

As the Sheriff mentioned, the Commission has come a long way to have the opportunity to listen to your story, and I am sure that they know you are telling the truth, in any case.

RUBY: I wish the President were right here now. It is a terrible ordeal, I tell you that.

CHIEF JUSTICE WARREN: I am sure it is an ordeal for you, and we want to make it just as easy as we can. That is the reason that we have let you tell your story in your own way without being interrupted. If you will just proceed with the rest of your statement, I think it would make it a lot easier for us to verify it in the way that you want it to be done.

RUBY: I don't know how to answer you.

CHIEF JUSTICE WARREN: Well, you have told us most of what happened up to the time of the incident, and you are almost within, you are just within a few hours of it now.

RUBY: There is a Saturday.

CHIEF JUSTICE WARREN: Beg your pardon?

RUBY: There is a Saturday night. There is a Friday night. This is still only Friday night, Chief.

CHIEF JUSTICE WARREN: Yes, that is true.

RUBY: Well, I will go into a certain point, and if I stop, you will have to understand if I stop to get my bearings together.

CHIEF JUSTICE WARREN: Yes.

RUBY: I am in the Times Herald building. I go upstairs, naturally.

CHIEF JUSTICE WARREN: This is about what time?

RUBY: This is, I imagine, is—I left KLIF at 2:00 a.m., and I spent an hour with the officer and his girl friend, so it must have been about 3:15 approximately. No, it wasn't. When you are not concerned with time, it could have been 4:00 o'clock.

CHIEF JUSTICE WARREN: It doesn't make any difference.

RUBY: Forty-five minutes difference. I am up there in the composing room talking to a guy by the name of Pat Gayloersch. He was so elated that I brought him this twist board, and I had it sealed in a polyethylene bag, but he wanted to see how it is demonstrated, how it was worked. It is a board that is on a pivot, a ball bearing, and it has a tendency to give you certain exercises in twisting your body. So not that I wanted to get in with the hilarity of frolicking, but he asked me to show him, and the other men gathered around.

When you get into the movement of a ball bearing disk, your body is free to move. I know you look like you are having a gay time, because naturally if your body is so free of moving, it is going to look that way. I am stating this in that even with my emotional feeling for our beloved President, even to demonstrate the twist board, I did it because someone asked me to. You follow me, gentlemen, as I describe it?

CHIEF JUSTICE WARREN: Yes, I do.

Black Border Around Ad

RUBY: Then we placed the ad in, and if I recall, I requested from Pat to put a black border around to show that the ad was in mourning, or something, because we were, everything was in mourning. Bill, will you do that for me that you asked a minute ago? You said you wanted to leave the room.

SHERIFF DECKER: I will have everyone leave the room, including myself, if you want to talk about it. You name it, and out we will go.

RUBY: All right.

SHERIFF DECKER: You want all of us outside?

RUBY: Yes.

SHERIFF DECKER: I will leave Tonahill and Moore. I am not going to have Joe leave.

RUBY: If you are not going to have Joe leave—

SHERIFF DECKER: Moore, his body is responsible to you. His body is responsible to you.

RUBY: Bill, I am not accomplishing anything if they are here, and Joe Tonahill is here. You asked me anybody I wanted out.

~~SHERIFF~~ DECKER: Jack, this is your attorney. That is your lawyer.

RUBY: He is not my lawyer.

(Sheriff Decker and law enforcement officers left room.)

Gentlemen, if you want to hear any further testimony, you will have to get me to Washington soon, because it has something to do with you, Chief Warren. Do I sound sober enough to tell you this?

CHIEF JUSTICE WARREN: Yes, go right ahead.

RUBY: I want to tell the truth, and I can't tell it here. I can't tell it here. Does that make sense to you?

CHIEF JUSTICE WARREN: Well, let's don't talk about sense. But I really can't see why you can't tell this Commission.

RUBY: What is your name?

MR. BALL: Joe Ball.

CHIEF JUSTICE WARREN: Mr. Joe Ball. He is an attorney from Los Angeles who has been working for me.

RUBY: Do you know Belli too?

MR. BALL: I know of him.

RUBY: Ball was working with him. He knows Belli. You know Melvin Belli?

MR. BALL: I was not acquainted with him.

CHIEF JUSTICE WARREN: No association of any kind.

MR. BALL: We practice in different cities.

CHIEF JUSTICE WARREN: Five hundred miles away. Mr. Ball practices in Long Beach, and Mr. Belli practices in San Francisco. There is positively no connection between any-

body in this room, as far as I know, with Mr. Belli. I can assure you of that.

RUBY: Where do you stand, Moore?

MR. MOORE: Well, I am assigned to the Commission, Jack.

RUBY: The President assigned you?

MR. MOORE: No, my Chief did. And I am not involved in the investigation. I am more of a security officer.

RUBY: Boys, I am in a tough spot, I tell you that.

MR. MOORE: You recall when I talked to you, there were certain things I asked you not to tell me at the time, for certain reasons, that you were probably going to trial at that time, and I respected your position on that and asked you not to tell me certain things.

RUBY: But this isn't the place for me to tell what I want to tell.

MR. MOORE: The Commission is looking into the entire matter, and you are part of it, should be.

Fears for Warren's Life

RUBY: Chief Warren, your life is in danger in this city, do you know that?

CHIEF JUSTICE WARREN: No, I don't know that. If that is the thing that you don't want to talk about, you can tell me, if you wish, when this is all over, just between you and me.

RUBY: No, I would like to talk to you in private.

CHIEF JUSTICE WARREN: You may do that when you finish your story. You may tell me that phase of it.

RUBY: I bet you haven't had a witness like me in your whole investigation. Is that correct?

CHIEF JUSTICE WARREN: There are many witnesses whose memory has not been as good as yours. I tell you that honestly.

RUBY: My reluctance to talk—you haven't had any witness in telling the story, in finding so many problems?

CHIEF JUSTICE WARREN: You have a greater problem than any witness we have had.

RUBY: I have a lot of reasons for having those problems.

CHIEF JUSTICE WARREN: I know that, and we want to respect your rights, whatever they may be. And I only want to hear what you are willing to tell us, because I realize that you still have a great problem before you, and I am not trying to press you.

I came here because I thought you wanted to tell us that story, and I think the story should be told for the public, and it will eventually be made public. If you want to do that, you are entitled to do that, and if you want to have it verified as the thing can be verified by a polygraph test, you may have that too. I will undertake to do that for you, but at all events we must first have the story that we are going to check it against.

RUBY: When are you going back to Washington?

CHIEF JUSTICE WARREN: I am going back very shortly, after we finish this hearing. I am going to have some lunch.

RUBY: Can I make a statement?

CHIEF JUSTICE WARREN: Yes.

RUBY: If you request me to go back to Washington with you right now, that couldn't be done, could it?

CHIEF JUSTICE WARREN: No, it could not be done. It could not be done. There are a good many things involved in that, Mr. Ruby.

RUBY: What are they?

CHIEF JUSTICE WARREN: Well, the public attention that it would attract, and the people who would be around. We have no place there for you to be safe when we take you out, and we are not law enforcement officers, and it isn't our responsibility to go into anything of that kind. And certainly it couldn't be done on a moment's notice this way.

RUBY: Well, from what I read in the paper, they made certain precautions for you coming here, but you got here.

CHIEF JUSTICE WARREN: There are no precautions taken at all.

RUBY: There were some remarks in the paper about some crackpots.

CHIEF JUSTICE WARREN: I don't believe everything I read in the paper.

MR. MOORE: In that respect, the Chief Justice is in public life. People in public life are well aware they don't please everyone, and they get these threats. Incidentally, if it is the part about George Senator talking about the Earl Warren Society, the Chief Justice is aware of that phase, and I am sure he would like to hear anything that you have to say if it affects the security.

CHIEF JUSTICE WARREN: Before you finish the rest of your statement, may I ask you this question, and this is one of the questions we came here to ask you.

DID YOU KNOW LEE HARVEY OSWALD PRIOR TO THIS SHOOTING?

Pleads for Lie Detector Test

RUBY: That is why I want to take the lie detector test. Just saying no isn't sufficient.

CHIEF JUSTICE WARREN: I will afford you that opportunity. You can't do both of them at one time.

RUBY: Gentlemen, my life is in danger here. Not with my guilty plea of execution. Do I sound sober enough to you as I say this?

CHIEF JUSTICE WARREN: You do. You sound entirely sober.

RUBY: From the moment I started my testimony, have I sounded as though, with the exception of becoming emotional, have I sounded as though I made sense, what I was speaking about?

CHIEF JUSTICE WARREN: You have indeed. I understood everything you have said. If I haven't, it is my fault.

RUBY: Then I follow this up. I may not live tomorrow to give any further testimony. The reason why I add this, since you assure me that I have been speaking sense by then, I might be speaking sense by following what I have said, and the only thing I want to get out to the public, and I can't say

it here, is with authenticity, with sincerity of the truth of everything and why my act was committed, but it can't be said here.

It can be said. It's got to be said amongst people of the highest authority that would give me the benefit of doubt. And following that, immediately give me the lie detector test after I do make the statement. Chairman Warren, if you felt that your life was in danger at the moment, how would you feel? Wouldn't you be reluctant to go on speaking, even though you request me to do so?

CHIEF JUSTICE WARREN: I think I might have some reluctance if I was in your position, yes, I think I would. I think I would figure out very carefully to whether it would endanger me or not. If you think that anything that I am doing or anything that I am asking you is endangering you in anyway, shape or form, I want you to feel absolutely free to say that the interview is over.

RUBY: What happens then? I didn't accomplish anything.

CHIEF JUSTICE WARREN: No, nothing has been accomplished.

RUBY: Well, then you won't follow up with anything further?

CHIEF JUSTICE WARREN: There wouldn't be anything to follow up if you hadn't completed your statement.

RUBY: You said you have the power to do what you want to do, is that correct?

CHIEF JUSTICE WARREN: Exactly.

RUBY: Without any limitations?

CHIEF JUSTICE WARREN: Within the purview of our Executive Order which established the Commission. We have the right to take testimony of anyone we want in this whole situation, and we have the right, if we so choose to do it, to verify that statement in any way that we wish to do it.

~~RUBY:~~ But you don't have a right to take a prisoner back with you when you want to?

CHIEF JUSTICE WARREN: No. We have the power to subpoena witnesses to Washington if we want to do it, but we have taken the testimony of two or three hundred people. I would imagine, here in Dallas without going to Washington.

RUBY: Yes, but those people aren't Jack Ruby.

CHIEF JUSTICE WARREN: No, they weren't.

RUBY: They weren't.

CHIEF JUSTICE WARREN: Now I want you to feel that we are not here to take advantage of you, because I know that you are in a delicate position, and unless you had indicated not only through your lawyers but also through your sister, who wrote a letter addressed either to me or to Mr. Rankin, saying that you wanted to testify before the Commission, unless she had told us that, I wouldn't have bothered you.

Because I know you do have this case that is not yet finished, and I wouldn't jeopardize your position by trying to insist that you testify. So I want you to feel that you are free to refrain from testifying any time you wish. But I will also be frank with you and say that I don't think it would be to your advantage to tell us as much as you have and then to

~~stop and~~ not tell us the rest. I can't see what advantage that would give you.

RUBY: The thing is this, that with your power that you have, Chief Justice Warren, and all these gentlemen, too much time has gone by for me to give you any benefit of what I am saying now.

CHIEF JUSTICE WARREN: No, that isn't a fact, because until we make our findings on the Commission, and until we make our report on the case, it is not too late. And there are other witnesses we have who are yet to be examined. So from our standpoint, it is timely. We are not handicapped at all by the lateness of your examination.

Too Tragic to Discuss

RUBY: Well, it is too tragic to talk about.

MR. RANKIN: Isn't it true that we waited very late in our proceedings to talk to Mrs. Kennedy?

CHIEF JUSTICE WARREN: Yes, I might say to you that we didn't take Mrs. Kennedy's statement until day before yesterday. Mr. Rankin and I took her testimony then. So we are not treating you different from any other witness.

RUBY: I tell you, gentlemen, my whole family is in jeopardy. My sisters, as to their lives.

CHIEF JUSTICE WARREN: Yes?

RUBY: Naturally, I am a foregone conclusion. My sisters, Eva, Eileen and Mary, I lost my sisters. My brothers, Sam, Earl, Hyman, and myself naturally—my in-laws, Harold Cominsky, Marge Ruby, the wife of Earl, and Phyllis, the wife of Sam Ruby, they are in jeopardy of loss of their lives. Yet they have, just because they are blood related to myself—does that sound serious enough to you, Chief Justice Warren?

CHIEF JUSTICE WARREN: Nothing could be more serious if that is the fact. But your sister, I don't know whether it was your sister Eva or your other sister—

RUBY: Eileen wrote you a letter.

CHIEF JUSTICE WARREN:—wrote the letter to me and told us that you would like to testify, and that is one of the reasons we came down here.

RUBY: But unfortunately, when did you get the letter, Chief Justice Warren?

CHIEF JUSTICE WARREN: It was a long time ago, I admit. I think it was, let's see, roughly between two and three months ago.

RUBY: Yes.

CHIEF JUSTICE WARREN: I think it was, yes.

RUBY: At that time when you first got the letter and I was begging Joe Tonahill and the other lawyers to know the truth about me, certain things that are happening now wouldn't be happening at this particular time.

CHIEF JUSTICE WARREN: Yes?

RUBY: Of why that Sunday morning—that thought never entered my mind prior to that Sunday morning when I took it upon myself to try to be a martyr or some screwball, you might say.

But I felt very emotional and very carried away from Mrs. Kennedy, that with all the strife she had gone through—I had been following it pretty well—that someone owed it to our beloved President that she shouldn't be ~~expected to come back to face trial of this heinous crime~~. And I have never had a chance to tell that, to back it up, to ~~prove it~~. Consequently, right at this moment, I am being victimized as a part of a plot in the world's worst tragedy and crime at this moment.

Months back had I been given a chance—I take that back. Sometime back a police officer of the Dallas Police Department wanted to know how I got into the building. And I don't know whether I requested a lie detector test or not, but my attorney wasn't available. When you are a defendant in the case, you say "speak to your attorney," you know. But that was a different time. It was after the trial, whenever it happened.

At this moment, Lee Harvey Oswald isn't guilty of committing the crime of assassinating President Kennedy. Jack Ruby is. How can I fight that, Chief Justice Warren?

CHIEF JUSTICE WARREN: Well now, I want to say, Mr. Ruby, that as far as this Commission is concerned, there is no implication of that in what we are doing.

RUBY: All right, there is a certain organization here—

CHIEF JUSTICE WARREN: That I can assure you.

RUBY: There is an organization here, Chief Justice Warren, if it takes my life at this moment to say it, and Bill Decker said be a man and say it, there is a John Birch Society right now in activity, and (former Maj. Gen.) Edwin Walker is one of the top men of this organization—take it for what it is worth, Chief Justice Warren. Unfortunate for me, for me giving the people the opportunity to get in power, because of the act I committed, has put a lot of people in jeopardy with their lives. Don't register with you, does it?

CHIEF JUSTICE WARREN: No. I don't understand that.

RUBY: Would you rather I just delete what I said and just pretend that nothing is going on.

CHIEF JUSTICE WARREN: I would not indeed. I am only interested in what you want to tell this Commission. That is all I am interested in.

RUBY: Well, I said my life, I won't be living long now. I know that. My family's lives will be gone. When I left my apartment that morning...

CHIEF JUSTICE WARREN: What morning?

RUBY: Sunday morning.

CHIEF JUSTICE WARREN: Sunday morning.

RUBY: Let's go back. Saturday I watched Rabbi Selesman. Any of you watch it that Saturday morning?

CHIEF JUSTICE WARREN: No, I didn't happen to hear it.

RUBY: He went ahead and eulogized that here is a man that fought in every battle, went to every country, and had to come back to his own country to be shot in the back. (Starts crying.) I must be a great actor, I tell you that.

CHIEF JUSTICE WARREN: No.

A Period of Depression

RUBY: That created a tremendous emotional feeling for me, the way he said that. Prior to all the other times, I was carried away. Then that Saturday night, I didn't do anything but visit a little club over here and had a coca-cola, because I was sort of depressed. A fellow that owns the Pogo Club, Bob Norton, and he knew something was wrong with me in the certain mood I was in. And I went home and that weekend, Sunday morning, and saw a Letter to Caroline, two columns about a sixteen-inch area. Someone had written a letter to Caroline. The most heartbreaking letter. I don't remember the contents. Do you remember that?

MR. MOORE: I think I saw it.

RUBY: Yes. And alongside that letter on the same sheet of paper was a small comment in the newspaper that, I don't know how it was stated, that Mrs. Kennedy may have to come back for the trial of Lee Harvey Oswald. That caused me to go like I did. That caused me to go like I did.

I don't know, Chief Justice, but I got so carried away. And I remember prior to that thought, there has never been another thought in my mind; I was never malicious toward this person. No one else requested me to do anything.

I never spoke to anyone about attempting to do anything. No subversive organization gave me any idea. No underworld person made any effort to contact me. It all happened that Sunday morning. The last thing I read was that Mrs. Kennedy may have to come back to Dallas for the trial for Lee Harvey Oswald, and I don't know what bug got hold of me. I don't know what it is, but I am going to tell the truth word for word.

I am taking a pill called Preludin. It is a harmless pill, and it is very easy to get in the drug store. It isn't a highly prescribed pill. I use it for dieting. I don't partake of that much food. I think that was a stimulus to give me an emotional feeling that suddenly I felt, which was so stupid, that I wanted to show my love for our faith, being of the Jewish faith, and I never used the term and I don't want to go into that—suddenly the feeling, the emotional feeling came within me that someone owed this debt to our beloved President to save her the ordeal of coming back.

I don't know why that came through my mind. And I drove past the Main Street, past the County building, and there was a crowd already gathered there. And I guess I thought I knew he was going to be moved at 10:00 o'clock. I don't know. I listened to the radio; and I passed a crowd and it looked—I am repeating myself—and I took it for granted he had already been moved.

And I parked my car in the lot across from the Western Union. Prior to that, I got a call from a little girl—she wanted some money—that worked for me, and I said, "Can't you wait till payday?" And she said, "Jack, you are going to be closed." So my purpose was to go to the Western Union—my double purpose—but the thought of doing, committing the act wasn't until I left my apartment. Sending the wire was when I had the phone call—or the money order.

I drove down Main Street—there was a little incident I left out, that I started to go down a driveway, but I wanted to go by Reed's and I saw him and started to cry again. Then I drove, parked the car across from the Western Union, sent the money order, whatever it was, walked the distance from the Western Union to the ramp—I didn't sneak in. I didn't linger in there.

'I Didn't Crouch or Hide'

I didn't crouch or hide behind anyone, unless the television camera can make it seem that way. There was an officer talking—I don't know what rank he had—talking to a Sam Pease in a car parked up on the curb.

I walked down those few steps, and there was the person that—I wouldn't say I saw red—it was a feeling I had for our beloved President and Mrs. Kennedy, that he was insignificant to what my purpose was.

And when I walked down the ramp—I would say there was an eight-foot clearance—not that I wanted to be a hero, or I didn't realize that even if the officer would have observed me, the klieg lights, but I can't take that.

I did not mingle with the crowd. There was no one near me when I walked down the ramp, because if you will time the time I sent the money order, I think it was 10:17 a.m. Sunday morning.

I think the actual act was committed—I take that back—was it 11:00 o'clock? You should know this.

MR. MOORE: 11:21.

RUBY: No, when Oswald was shot.

And I have a friend of mine—do you mind if it is a slipshop story?

CHIEF JUSTICE WARREN: No, you tell us in your own way.

RUBY: A fellow whom I sort of idolized is of the Catholic faith, and a gambler. Naturally in my business you meet people of various backgrounds. And the thought came, we were very close, and I always thought a lot of him, and I knew that Kennedy, being Catholic, I knew how heartbroken he was, and even his picture of this Mr. McWille flashed across me, because I have a great fondness for him.

All that blended into the thing that, like a screwball, the way it turned out, that I thought that I would sacrifice myself for the few moments of saving Mrs. Kennedy the discomfort of coming back to trial. Now all these things of my background, I should have been the last person in the world to want to be a martyr. It happens, doesn't it, Chief Warren?

I mean, for instance, I have been in the night club business, a burlesque. It was a means of livelihood. I knew persons of notorious backgrounds years ago in Chicago. I was with the Union back in Chicago, and I left the Union when I found out the notorious organization had moved in there. It was in 1940.

Then recently, I had to make so many numerous calls that I am sure you know of. Am I right? Because of trying to survive in my business. My unfair competition had been running certain shows that we were restricted to run by regulation of the Union.

But they violated all the rules of the Union, and I didn't violate it, and consequently I was becoming insolvent because of it. All those calls were made with only, in relation to seeing if they can help out, with the American Guild of Variety Artists. Does that confirm a lot of things you have heard? Every person I have called, and sometimes you may not even know a person intimately, you sort of tell them, well, you are stranded down here and you want some help—if they know of any official of the American Guild of Variety Artists to help me. Because my competitors were putting me out of business.

No Link to Underworld

I even flew to New York to see Joe Glazer, and he called Bobby Faye. He was the National President. That didn't help. He called Barney Ross and Joey Adams. All these phone calls were related not in any way involved with the underworld, because I have been away from Chicago seventeen years down in Dallas. As a matter of fact, I even called a Mr.—hold it before I say it—headed the American Federation of Labor—I can't think—in the State of Texas—Miller.

CHIEF JUSTICE WARREN: I don't know.

RUBY: Is there a Deutsch I. Maylor? I called a Mr. Maylor here in Texas to see if he could help me out. I want to set you gentlemen straight on all the telephone calls I had. This was a long time prior to what has happened. And the only association I had with those calls, the only questions that I inquired about, was if they could help me with the American Guild of Variety Artists, to see that they abolished it, because it was unfair to professional talent, abolish them from putting on their shows in Dallas.

That is the only reason I made those calls. Where do we go from there?

CHIEF JUSTICE WARREN: Well, I will go back to the original question that I asked you. DID YOU EVER KNOW OSWALD?

RUBY: No. Let me add—you are refreshing my mind about a few things. Can I ask you one thing? Did you all talk to Mr. McWillie? I am sure you have.

VOICE (Not Identified): Yes.

RUBY: He always wanted me to come down to Havana. Cuba, ~~invited~~ me down there, and I didn't want to leave my business because I had to watch over it. He was a key man over the Tropicana down there. That was during our good times. Was in harmony with our enemy of our present time.

CHIEF JUSTICE WARREN: Yes?

RUBY: I refused. I couldn't make it. Finally he sent me tickets to come down, airplane tickets. I made the trip down there via New Orleans, and so I stayed at Volk's Apartments, and I was with him constantly. And I was bored with the gambling, because I don't gamble, and there is nothing exciting unless you can speak their language, which is Spanish. I believe. And that was the only environment. That was in August of '59.

Any thought of ever being close to Havana, Cuba, I called him frequently because he was down there, and he was the last person to leave, if I recall, when they had to leave, when he left the Casino.

As a matter of fact, on the plane, if I recall, I had an article he sent me, and I wanted to get it published because I idolized McWillie. He is a pretty nice boy, and I happened to be idolizing him. When the plane left Havana and landed in the United States, some school teacher remarked that the United States is not treating Castro right. When they landed in the United States this Mr. Louis McWillie slugged this guy for making that comment.

So I want you to know, as far as him having any subversive thoughts, and I wanted Tony to put it in the paper here. That is how much I thought of Mr. McWillie. And that is my only association. The only other association with him was, there was a gentleman here that sells guns. He has a hardware store on Singleton Avenue. Have I told this to you gentlemen? It is Ray's Hardware. His name is Ray Brantley.

This was—I don't recall when he called me, but he was a little worried of the new regime coming in, and evidently he wanted some protection. He called me or sent me a letter

that I should call Ray Brantley. He wanted some four little Cobra guns—big shipment.

So me, I should say myself rather, feeling no harm, I didn't realize, because he wasn't sending them to me, and I thought there was no crime, the man wanted protection, he is earning a livelihood. I called Ray Brantley and I said, "Ray McWillie called me." I don't remember if he sent me a letter or he called. He said he wants four little Cobras, something like that.

He said, "I know Mac. I have been doing business with him for a long time." Meaning with reference to when he was living in Texas. He did a lot of hunting and things like that.

CHIEF JUSTICE WARREN: Yes?

RUBY: That was the only relationship I had of any mention, outside of phone calls, to Mr. McWillie, or any person from Havana, Cuba.

CHIEF JUSTICE WARREN: When was that?

RUBY: Now the guns—am I correct? Did you ever go to check on it? On Ray Brantley?

MR. MOORE: No.

RUBY: He denies I ever called. Evidently he feels, maybe he feels it would be illegal to send guns out of the country. I don't know if you gentlemen know the law. I don't know the law.

CHIEF JUSTICE WARREN: I don't know.

RUBY: I kept—did I tell you this, Joe, about this?

MR. TONAHILL: Yes, you did.

RUBY: That I wanted someone to go to Ray Brantley?

MR. TONAHILL: Yes.

RUBY: When Phil Burlison came back with a letter, signed an Affidavit that Ray Brantley said he never did receive a call from me, and the only gun he sent to McWillie was to the Vegas, but it came back that they didn't pick it up because it was a C.O.D. order.

This definitely would do me more harm, because if I tell my story that I called Ray Brantley, and he denied that

he ever got a call from me, definitely that makes it look like I am hiding something. Haven't I felt that right along, Joe?

MR. TONAHILL: You sure have, Jack.

RUBY: Now, the reason I am telling you these things, I never knew Lee Harvey Oswald. The first time I ever have seen him was the time in the Assembly Room when they brought him out, when he had some sort of shiner on his eye.

CHIEF JUSTICE WARREN: When was that little incident about the Cobras? About what year? That is all I am interested in.

RUBY: Could have been prior to the early part of '39.

CHIEF JUSTICE WARREN: Yes; all right.

RUBY: That is the only call I made. And as a matter of fact, I didn't even follow up to inquire of this Mr. Brantley, whether he received it or what the recourse was. That is why I tell you, Chief Justice Warren—who is this new gentleman, may I ask?

MR. RANKIN: This is Mr. Storey from your community, a lawyer who is working with the Attorney General, and Mr. Jaworski, in connection with watching the work of the Commission so that they will be satisfied as to the quality of the work done insofar as the State of Texas is concerned.

(Pause for reporter to change paper, and Ruby asked about one of the gentlemen, to which Chief Justice Warren replied as follows):

CHIEF JUSTICE WARREN: (Referring to Mr. Specter) He has been working with us on the Commission since very close to the beginning now.

MR. RANKIN: How long did you spend in Cuba on this trip?

RUBY: Eight days. A lot of your tourists were there. As a matter of fact, a lot of group tourists were going down, students of schools. I mean, he had a way of purchasing tickets from Havana that I think he purchased them at a

lesser price. He bought them from the travel agent in the Genri Hotel. He bought them—did you meet McWillie?

MR. MOORE: I didn't.

MR. RANKIN: He was checked by the Commission in connection with this work.

CHIEF JUSTICE WARREN: There was some story in one of the papers that you had been interested in shipping jeeps down to Cuba. Was there anything to that at all?

RUBY: No. But this was the earlier part, when the first time Castro had ever invaded Cuba. There was even a government article that they would need jeeps. I don't recall what it was, but I never had the facilities or the capabilities of knowing where to get jeeps.

But probably in conversation with other persons—you see, it is a new land, and they have to have a lot of things. As a matter of fact, the United States Government was wanting persons to help them at that particular time when they threw out the dictator, Batista.

And one particular time there was gentleman that smuggled guns to Castro. I think I told you that, Mr. Moore; I don't remember.

MR. MOORE: I don't recall that.

RUBY: I think his name was Longley out of Bay—something—Texas, on the Bayshore. And, somehow he was, I read the article about him, that he was given a jail term for smuggling guns to Castro. This is the early part of their revolution.

CHIEF JUSTICE WARREN: Before the Batista Government fell?

RUBY: Yes. I think he had a boat, and he lived somewhere in Bay something. Bayshore, in the center part of Texas. Do you know him, Mr. Storey? Do you know this man?



JACK RUBY



EARL WARREN



Lee Oswald, President Kennedy's assassin, only hours before Jack Ruby killed him.

Tolson _____
 Belmont ☒ _____
 Mohr _____
 Casper _____
 Callahan _____
 Conrad _____
 DeLoach ☒ _____
 Evans _____
 Gale ☒ _____
 Rosen ☒ _____
 Sullivan ☒ _____
 Tavel _____
 Trotter _____
 Tele Room _____
 Holmes _____
 Gandy _____

His Own Lawyer Lied, Ruby Tells Warren

By DOROTHY KILGALLEN

Copyright, 1964, N. Y. Journal-American

"Boys," said Jack Ruby to Chief Justice Earl Warren and his assorted assistants, "I am in a tough spot, I tell you that."

Which for the admittedly explosive Jack Ruby was stating his predicament in rather mild terms.

He has been condemned to die for the killing of Lee Harvey Oswald, President Kennedy's alleged assassin. He will be spared only if a higher court overturns his conviction of murder with malice.

MAKES PITCH

So Jack Ruby decided to make his pitch for clemency to the man at the top—Chief Justice Warren.

That the Chief Justice has disqualified himself from Ruby's case because of Mr. Warren's involvement with the investigation into President Kennedy's murder made no difference to the desperate little man languishing in a cell at the Dallas County Jail.

Jack Ruby had his plan—a plan of personal if indirect appeal to the Chief Justice.

He meant to carry out that plan, no matter what.

And this explains why he suddenly lashed out at Joe Tonahill, one of the lawyers who defended Ruby at his trial for murder.

What Mr. Tonahill did last June 7, while Ruby was being questioned by the Warren Commission, was to suggest that the pasty-faced club owner had been goaded into killing Oswald because of a conversation with a Dallas cop and a stripper named Kathy Ray.

The tall, beefy attorney expressed this view in a note which he scribbled and then tried to pass to someone in the interrogation room.

ASK FOR NOTE

But Ruby, displaying a shrewdness and instinct for self-preservation that many might have thought him incapable of, spied the note and

The Washington Post and Times Herald _____
 The Washington Daily News _____
 The Evening Star _____
 New York Herald Tribune _____
 New York Journal-American ☒ _____
 New York Mirror _____
 New York Daily News _____
 New York Post _____
 The New York Times _____
 The Worker _____
 The New Leader _____
 The Wall Street Journal _____
 The National Observer _____
 People's World _____
 Date _____

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asked Mr. Tonahill to let him feed it.

"This (the conversation with the cop and the stripper) is the thing that started Jack in the shooting," Mr. Tonahill had written.

"You are lying," Ruby shouted at his attorney. "You are lying, because you know what motivated me. You want to make it that it was a premeditation."

And despite Mr. Tonahill's feeble protests, Ruby was right. The conversation with Kathy Kay and her policeman friend had taken place 36 hours before Oswald's murder. If Ruby had brooded



JOE TONNEHILL
Ruby's Lawyer

AP Photo

over the idea for that length of time, then the killing would have been premeditated.

So score one for Jack Ruby.

And notice how carefully Ruby reconstructs the actual shooting of Oswald as he was being led through the basement of the Dallas City Jail on his way to a waiting police van.

"I didn't sneak in (to the basement)," Ruby explained.

"I didn't crouch or hide behind anyone . . .

"I walked down those few steps, and there was the person (Oswald) that — I wouldn't say I saw red — it was a feeling I had for our beloved President and Mrs. Kennedy . . .

"Not that I wanted to be a hero . . ."

No, not a hero, something more than a hero. For as he told the Chief Justice a few minutes later:

"Now all these things of my background, I should have been the last person in the world to want to be a martyr. It happens, doesn't it, Chief Warren?"

Throughout Ruby's testimony to the Warren Commission there is the cultivation of one idea—that he murdered Oswald only because of his great admiration for President Kennedy and to spare Mrs. Kennedy the heartbreak of returning to Dallas for Oswald's trial.

As was brought out in that portion of the transcript printed yesterday in *The Journal-American*, Ruby did not bother to watch the Presidential motorcade.

And to see the President and First Lady, Ruby had only to walk out of the Dallas Morning News building, where he was busy placing an ad for his Carousel Club. The News building faced out onto the motorcade route.

"In the first place," he explained, "I don't want to go where there is big crowds. I can't explain it to you. If I was interested, I would have been it on television, our beloved President and all the parade that transpired."

And early Saturday morning, the balding striptease club owner did something else rather strange for a man as emotionally shattered by the President's death as Ruby claimed to be—

He went to the office of a local newspaper and demonstrated a "twist board" for one of the employees.

I find it hard to reconcile the picture of Jack Ruby performing on a twist board less than 24 hours after the President's assassination with the bereaved figure of a man who walked around in a state of emotional shock

Chief Justice's Deep Probe In Oswald's Killing

[Chief Justice Warren's Examination
of Jack Ruby Continues Tomorrow]

By DOROTHY KILGALLEN

Copyright, 1964, by The New York Journal-American

What you are about to read is the transcript of the testimony given by Jack Ruby to Chief Justice Earl Warren and other members of the Warren Commission investigating the assassination of President Kennedy.

The transcript will be printed in this newspaper in three installments. This is the first of those three. The others will appear tomorrow and Thursday.

The Warren Commission will not make public its findings until sometime next month.

But through sources close to the Warren Commission in Washington I obtained a copy of the original transcript of Ruby's highly important testimony.

The transcript is 102 pages long and is a word-by-word account of a three-hour, five-minute interrogation of Jack Ruby—the third member of a triangle that has become an irrevocable part of history.

Jack Ruby has been convicted of killing Lee Harvey Oswald. He has been sentenced to death. In his testimony before Chief Justice Warren, Ruby traces his movements from the time of the President's murder until the moment he shot Oswald—Mr. Kennedy's accused assassin.

Did you know Lee Harvey Oswald? That was one of the questions Ruby was asked. Were you part of a conspiracy against the President? That was another of the questions.

Jack Ruby answered. And as he talked he bared his mind and moved us a step closer to solving some of the riddles that have plagued this country and the world since the hour of President Kennedy's tragic death.

Tolson _____
Belmont _____
Mohr _____
Casper _____
Callahan _____
Conrad _____
DeLoach _____
Evans _____
Gale _____
Rosen _____
Sullivan _____
Tavel _____
Trotter _____
Tele Room _____
Holmes _____
Gandy _____

The Washington Post and Times Herald _____
The Washington Daily News _____
The Evening Star _____
New York Herald Tribune _____
New York Journal-American _____
New York Mirror _____
New York Daily News _____
New York Post _____
The New York Times _____
The Worker _____
The New Leader _____
The Wall Street Journal _____
The National Observer _____
People's World _____
Date _____

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This Is the Q. and A.

**CONFIDENTIAL
PRESIDENT'S COMMISSION
ON THE
ASSASSINATION OF PRESIDENT KENNEDY**

Dallas, Texas
Sunday, June 7, 1964
11:45 a.m.-2:50 p.m.

The President's Commission met, pursuant to recess, at 11:45 a.m. in the interrogation room of the Dallas County Jail, Main and Houston streets, Dallas, Texas.

PRESENT

Chief Justice Earl Warren
J. Lee Rankin, General Counsel
Congressman Gerald R. Ford, Michigan
Elmer W. Moore, Special Agent, U. S. Secret Service
Joseph A. Ball, Staff Counsel
Arlen Specter, Staff Counsel
Robert G. Storey, Counsel
Leon Jaworski, Counsel
Jim Bowie, Assistant District Attorney
Joe H. Tonahill, Counsel representing Jack Ruby
Sheriff Bill Decker
E.L. Holman, Chief Jailer
Orvill Smith, Deputy Sheriff assigned to Jack Ruby
Helen Laidrich, Reporter

PROCEEDINGS

RUBY: Without a lie detector test on my testimony, my verbal statements to you, how do you know if I am telling the truth?

MR. TONAHILL: Don't worry about that, Jack.

RUBY: Just a minute, gentlemen.

CHIEF JUSTICE WARREN: You wanted to ask something, did you, Mr. Ruby?

RUBY: I would like to be able to get a lie detector test

or truth serum of what motivated me to do what I did at that particular time, and it seems as you get further into something, even though you know what you did, it operates against you somehow, brain washes you, that you are weak in what you want to tell the truth about and what you want to say which is the truth.

Now, Mr. Warren, I don't know if you got any confidence in the lie detector test and the truth serum and so on.

CHIEF JUSTICE WARREN: I can't tell you just how much confidence I have in it, because it depends so much on who is taking it and so forth. But I will say this to you, that if you and your counsel want any kind of test, I will arrange it for you. I would be glad to do that, if you want it. I wouldn't suggest a lie detector test to testify the truth. We will treat you just the same as we do any other witness, but if you want such a test, I will arrange it.

RUBY: I do want it. Will you agree to that, Joe?

MR. TONAHILL: I sure do, Jack.

CHIEF JUSTICE WARREN: Any kind of test you want to verify what you say, we will be glad to do.

RUBY: I want it even if you put me into a sort of drowsiness so you can question me as to anything pertaining to my involvement in this particular act.

MR. TONAHILL: Jack, you have wanted to do that from the very beginning, haven't you?

RUBY: Yes. And the reason why I am asking for that is,

...are you limited for time?

CHIEF JUSTICE WARREN: No, we have all the time you want.

RUBY: As it started to trial—I don't know if you realize my reasoning, how I happened to be involved—I was carried away tremendously emotionally, and all the time I tried to ask Mr. (Melvin) Belli, I wanted to get up and say the truth regarding the steps that led me to what what I have got involved in, but since, I have a spotty background in the night club business, I should have been the last person to ever want to do something that I had been involved in. In other words, I was carried away tremendously. You want to ask me questions?

CHIEF JUSTICE WARREN: You tell us what you want, and then we will ask you some questions.

MR. RANKIN: I think he ought to be sworn.

RUBY: Am I boring you?

CHIEF JUSTICE WARREN: Go ahead. All right, Mr. Ruby, tell us your story.

RUBY: That particular morning—where is Mr. Moore?—I had to go down to the (Dallas) News building, getting back to this—I don't want to interrupt.

CHIEF JUSTICE WARREN: What morning do you mean?

RUBY: Friday morning, the starting of the tragedy. Mr. Belli evidently did not go into my case thoroughly circum-

stantially. If he had gone into it, he wouldn't have tried to vindicate me on an insanity plea to relieve me of all responsibility, because circumstantially everything looks so bad for me. It can happen—it happens to many people who happen to be at the wrong place at the right time.

Had Mr. Belli spent more time with me, he would have realized not to try to get me out completely free; at the time we are talking, technically, how attorneys operate.

CHIEF JUSTICE WARREN: I understand.

RUBY: Different things came up, flashed back into my mind, that it dirtied my background, that Mr. Belli and I decided—oh yes, when I sent to say that I wanted to get on the stand and tell the truth what happened that morning he said, "Jack, when they get you on the stand, you are actually speaking of a premeditated crime that you involved yourself in." But I didn't care because I wanted to tell the truth.

He said, "When the prosecution gets you on the stand, they will cut you to ribbons." So naturally, I had to retract, and he fought his way to try to vindicate me out of this particular crime. You follow that?

CHIEF JUSTICE WARREN: Yes, I do indeed.

RUBY: I want you to question me and requestion me on anything you want, plus the fact I do want the test when they are available.

CHIEF JUSTICE WARREN: Yes.

RUBY: On Friday, the morning parade—this goes back to Thursday night, because it has something to do with it. We were having dinner at the Egyptian Restaurant—

CHIEF JUSTICE WARREN: Right now, Mr. Ruby, before we get started taking your testimony, would you mind being sworn?

(Chief Justice Warren and Ruby stand and both raise their right hand.)

CHIEF JUSTICE WARREN: Do you solemnly swear that the testimony you are about to give before the Commission will be the truth, the whole truth and nothing but the truth, so help you God?

RUBY: I do.

CHIEF JUSTICE WARREN: Now will you please state whether the things you have just told us are true under your oath?

RUBY: I do so state they are the truth.

'Felt It Was a Lost Cause'

CHIEF JUSTICE WARREN: Now you complete whatever story you want to tell.

RUBY: All right. Thursday night I was having dinner at the Egyptian Restaurant on Mockingbird Lane, and a fellow comes over to the table. I was sitting with a guy by the name of Ralph Paul. He tried to invite me to the Club a couple of doors down and I refused, because he had taken a band away from me that had been engaged for seven years, and I felt it was a lost cause, that the Club would be failing because of that, and I sort of excused myself and I refused to go over to the club.

We finished our dinner, and I went down to the Club that I operated, the Carousel, and this particular Matter of Ceremonies happened to be there at the time, and we discussed a few things. And there is a columnist by the name of Tony Zoppi—and prior to that, I wrote out a full page copy of this build—I have the copies—as an MC, and I brought a picture and brochure, and Tony said, "I will write a story." This was done two days prior to this Thursday night.

So then I went down, so we discussed it and were very much disgusted with Tony because he only gave us a build of one or two lines. Well, I retired that night after closing the Club. Then I knew I wanted to go back to the Morning News building to get the brochure I left, and also this complete page of longhand writing describing the various talents of this Bill DeMarr.

I picked up the brochure that Friday morning, and I also had business at the News building on Friday because that is the start of the weekend, which is very lucrative, the weekend. I have ways of making my ads of where they have a way of selling the product I am producing or putting on the show. So I went down there Friday morning to Tony Zoppi's office, and they said he went to New Orleans for a couple of days.

I picked up the brochure. I believe I got downtown there at 10:30 or 11:00 o'clock that morning. And I took the brochure and then went into the main room where we compose our ads. That is the sales room where we placed our ads. And I remained there for a while. I started to write the copy of my ad.

Now I go back to the same fellow that wanted me to come over to the Club when we were having our dinner on Mockingbird at the Egyptian Lounge. I came to the desk and I wanted to apologize and explain why I didn't accept his invitation last night. I wanted to explain, and that took about twenty or twenty-five minutes. All this is pertaining to everything prior to the terrible tragedy that happened.

I started to explain to him why I didn't want to go there because this fellow mentioned—Tony, I think—I can't think of his last name—of me having his band so many years, and I felt at the moment I didn't want to go over to the Club because I didn't care to meet this fellow.

And he started to apologize, "Jack, I am sorry, I did work for the fellow and we have been advertising him for that Club, and I am putting out a night club book." I remained with him for twenty or twenty-five minutes talking there. I don't know whether my ad was completed or not. It was an ad on the Vegas and the Carousel. My ads were completed, I believe, and after finishing my conversation with him, he left.

Suddenly the man that completes my ads for me, that helps me with it on occasion—but I usually make it up myself—but the person that takes the money for the ads—this is the reason it is so hard for me to meet a deadline when I get downtown to the News building. And as a rule, I have to pay cash for my ads. When you are in debt, it is necessary, and they will not put it in unless you pay cash.

And consequently, the weekend, I had been to town on that particular day. All this adds up later on, as I will state why I didn't go to the parade. In the first place, I don't want to go where there is big crowds. I can't explain it to you. If I was interested, I would have seen it on television, our beloved President and all the parade that transpired. But all that adds up why it is important for me to be in the News building.

I owe the government quite a bit of money, and it is doing business out of your pocket, supposedly in the slang expression. Well, John Newman comes in, and evidently he took it for granted I finished my ad, and I don't recall if he paid for his ad, and suddenly there is some milling around.

I think it was 12:00 o'clock or fifteen minutes after 12:00. I don't recall what, but John Newman said someone had been shot. And I am sorry. I got carried away because I had been under pressure. And someone else came running over and he said a Secret Service man was shot, or something to that effect. And I am there in the middle with John Newman, because Newman isn't paying any attention to anyone else, and there is a lot going back and forth.

In a State of Hysteria

So someone must have made a statement that Governor Connally was shot. I don't recall what was said. And I was in a state of hysteria, I mean. You say, "Oh my God, it can't happen." You carry on crazy sayings.

There was a little television set in one office not far away from where I had been sitting at the desk. I ran over there and noticed a little boy and a little sister say, "I was standing right there when it happened." I mean, different things you hear on the television. Then the phone started

ringing off the desk and I heard John Newman say people were complaining about the ad, why they accepted this ad.

(A tray of water and glasses was brought in.)

Thank you. Has every witness been this hesitant in trying to explain their story?

CHIEF JUSTICE WARREN: You are doing very well. I can understand why you have to reflect upon a story of that length.

RUBY: The phones were ringing off the desk calling various ads, and they were having a turmoil in that News building because of a person by the name of Bernard Weissman placing that particular ad, full page ad. I am sure you are familiar with the ad.

CHIEF JUSTICE WARREN: Yes, I am.

RUBY: Criticizing a lot of things about our beloved President. Then John Newman and I and another gentleman walked over to another part of the room, and I heard John Newman say, "I told him not to take that ad." Something to that effect. Then he said, "Well, you have seen him pay part cash and come back and pay the balance." Now everything is very vague to me as to when this transpired; after they heard the President had been shot, or prior to that. You know it's been a long time, and I am under a very bad mental strain here.

CHIEF JUSTICE WARREN: Yes.

RUBY: From the time we were told that the President was shot, thirty-five minutes later they said he had passed away. In the meantime, I became very emotional. I called my sister at home. She was carried away terribly bad. And John Newman happened to be there, and I know it is a family

reaction you have you want other people to feel that you feel emotionally disturbed the same way as other people, so I let John listen to the phone that my sister was crying hysterically.

And I said to John, I said, "John I will have to leave Dallas." I don't know why I said that, but it is a funny reaction that you feel, the city is terribly let down by the tragedy that happened. And I said, "John, I am not opening up tonight." And I don't know what else transpired there. I know people were just heartbroken. I left the room. I may have left out a few things. Mr. Moore remembers probably more, but you come back and question me and maybe I can answer these questions.

'I Was Crying Pretty Bad'

I left the building and I went down and I got my car and I couldn't stop crying, because naturally when I pulled up to a "Stop" light and other people would be adjacent to me, I wouldn't want them to see me crying, because it looked kind of artificial. And I went to the Club and I came up, and I may have made a couple of calls from there. I could have called my colored boy, Andy, down at the Club. I could have—I don't know who else I would have called, but I could have, because it is so long now since my mind is very much warped now. You think that literally?

I went up to the Club and I told Andy, I said, "Call everyone and tell them we are not opening." We have a little girl in Fort Worth I wanted to make sure he called her. And a fellow by the name of Bell called and wanted to know if we were open. And Kathy Kay called, and I said, "Definitely not." And I called Ralph Paul, that owns the Bull Pen. He said, "Jack, being as everyone else is open"—because he knows I was pressed for money—and I said, "No, Ralph, I can't open." He said, "Okay, if that is why, that is the way it's got to be."

So in the meantime, I had gone with Alice Nichols for sometime, and I called her on the phone but she wasn't there, but I left the number on the pay phone for her to return the call, because I didn't want to keep the business phone tied up. And I hadn't spoken to her in maybe nine months or a year. I don't know what I said to her, not many words, but just what happened.

I still remained around the Club there. I am sure I was crying pretty bad. I think I made a long distance call to California. This fellow had just visited me, and I had known him in the days back in Chicago when we were very young, in the real tough part of Chicago. His name is Al Gruber.

He was a bad kid in those days, but he is quite reformed. He is married and has a family, and I am sure he makes a very legitimate livelihood at this time. He happened to come through a couple of nights prior to that to try to interest me, or four or five days prior to that, to interest me in a new kind—you follow the story as I tell it?

CHIEF JUSTICE WARREN: Yes.

RUBY: It is important, very important. It is on a new kind of machine that washes cars. You pay with tokens. It is a new thing. I don't know if it faded out or not. He tried to interest my brother, Sammy, because Sammy sold his washateria. And my sister was in the hospital when he first came. I am going back a little bit. Sammy didn't go to the hospital, and we needed to sell Sammy about this particular thing, and that is the reason Al Gruber came into the picture, because he came to try to interest my brother Sammy in this new washateria deal to wash cars.

He left and went to California, but before he went to California I promised him my Dachshund dog. When this thing happened, I called him. He said, "Yes, we are just

watching on television." And I couldn't carry on more conversation. I said, "Al, I have to hang up." Then I must have called my sister, Eileen, in Chicago.

Then a fellow came over to deliver some merchandise I had ordered over the phone, or Andy ordered. And we said, "What is the use of purchasing any merchandise of any kind, we are not interested in business." And I don't recall what I said, but I told him whatever money he received, to keep the change. I am not a philanthropist, but nothing bothered me at the time. I wasn't interested in anything.

Then I kept calling my sister, Eva, because she wanted me to come be with her. Eva and I have a very complex personality. Very rarely can I be with her, but on this particular occasion, since she was carrying on so, I felt that I wanted to be with someone that meant something to me. I wanted to be with her. And I kept calling her back, "I will be there." And so on. But I never did get there until a couple of hours later.

I finally left the Club. I am sure you gentlemen can brief in all the things that happened before. A kid by the name of Larry up there, I think I told him to send the dog they crated, to find out about the price—very impulsive about everything. Then I left the Club. And I had been dieting, but I felt I wanted some food. I can't explain it. It would be like getting intoxicated at that particular time. It is amusing, but it is true.

I went over to the Ritz Delicatessen a block and a half away. Must have bought out the store, for about ten dollars' worth of delicacies and so on. Went out to my sister's and stayed at her apartment. Oh, I called from the apartment—~~my sister~~ knew more of my calls than I did. I remember I

~~think I called—I can't think of who I called.~~

Anyway, I am sure I made some calls of what had happened there. Somebody will have to piece me together from the time I got to my sister's apartment where I had partaken of the food. Oh yes, I called Andy. This Andy Armstrong called me and said, "Don Safran wants you to call him."

This is rare for this gentleman, because he is a columnist for the Dallas Times Herald, because he never could get out any copy for my Club. And he said, "Don Safran wants me to call him." I called him, and he said, "Jack are you going to be closed tonight?" I said, "Yes." He said, "Well, the Cabana and the Adolphus, the Century Room, are going to be closed."

I said, "Don, I am not asking you about any Clubs that are going to be closed. I know I am going to be closed." And he said, "Jack, that is what I want to know." And I said, "You don't have to prompt me about who else is going to be closed." I put the receiver down and talked to my sister, and I said, "Eva, what shall we do?" And she said, "Jack, let's close for the three days." She said, "We don't have anything anyway, but we owe it to"—(chokes up).

So I called Don Safran back immediately and I said, "Don, we decided to close for Friday, Saturday and Sunday." And he said, "Okay." Then I called the Morning News and I wanted to definitely make sure to change a copy of my ad to "Closed Friday, Saturday and Sunday," something to that effect. And it was a little late in the afternoon, but he said, "We will try to get the copy in."

— 'Clubs Were Still Open' —

Then I called Don back again but couldn't get him, and I spoke to one of his assistants, and I said, I forgot what I told him. Anyway, that is one of the calls I had that had transpired. I lie down and take a nap. I wake about 7:00 or 7:30. In the meantime, I think I called—the reason this comes back to me, I know I was going to go to the Synagogue.

I called Coleman Jacobson and asked him what time services are tonight, and he said he didn't know. And I said, "Are there going to be any special services?" And he said he didn't know of any. And I called the Congregation Shearith Israel and asked the girl, and she said, "Regular services at 8:00 o'clock." And I said, "Aren't there going to be earlier services like 5:30 or 6:00?"

And about 7:30 I went to my apartment. I don't know if I went downtown to the Club. I know I went to my apartment—either to the Club or to the apartment. And I changed, showered and shaved, and I think I drove—and as I drove down, there is a certain Thornton Freeway, and I saw the Clubs were still open going full blast, a couple of clubs there.

Anyway, I went out to the Synagogue and I went through the line and I spoke to Rabbi Silverman, and I thanked him for going to visit my sister at the hospital. She was in a week prior and had just gotten out. I don't remember the date.

Then he had a Confirmation—this is the night prior to the Confirmation. They serve little delicacies. So in spite of the fact of the mood I was in, I strolled into the place, and I think I had a little glass of punch. Nothing intoxicating, just a little punch they serve there. I didn't speak to anyone. One girl, Leona, said "Hello, Jack," and I wasn't in a conversational mood whatsoever.

I left the Club—I left the Synagogue and I drove by the Bali-Hai Restaurant. I noticed they were open. I took recognition of that. I drove by another Club called the Gay Nineties, and they were closed. And I made it my business to drive down Preston Road.

In my mind suddenly it mulled over me that the Police Department was working overtime. And this is the craziest thing that ever happened in a person's life. I have always been very close to the Police Department. I don't know why.

I felt I had always abided by the law—a few, little infractions, but not serious—and I felt we have one of the greatest police forces in the world here, and I have always been close to them, and I visited in the office. And over the radio I heard they were working overtime.

I stopped at the delicatessen called Phil's on Oak Lawn Avenue, and suddenly I decided—I told the clerk there I wanted him to make me some real good sandwiches, about ten or twelve, and he had already started on the sandwiches and I got on the phone.

'I Will Tell the Boys...'

I called an officer by the name of Sims and I said, "Sims, I hear you guys are working," and so on. I said, "I want to bring some sandwiches." And he said, "Jack, we wound up our work already. We wound up what we were doing. We are finished what we were doing. I will tell the boys about your thoughtfulness, and I will thank them for you." In the meantime, there is a fellow in town that has been very good to me named Gordon McLendon. Do you know him, Mr. Warren?

CHIEF JUSTICE WARREN: I think I do not.

RUBY: He had been giving me a lot of free plugs. And all the while listening to the radio, I heard about a certain disc jockey, Joe Long, that is down at the station, giving first-hand information—I want to describe him—of Oswald. Very rarely do I use the name Oswald. I don't know why. I don't know how to explain it—of the person that committed the act. (Pause to compose self.)

So before going down to the police station, I try to call KLIF but can't get their number—I wanted to bring the sandwiches to KLIF so they would have the sandwiches, since they already started to make them up. And I remember Russ Knight, a disc jockey—these names aren't familiar to you, but I have to mention them in order to refresh my memory.

His name was Moore, or something, and I tried to get information on the telephone, but they couldn't give me the phone number of his home. I probably thought I could get the phone number, but after 6:00 p.m. you cannot get into the premises unless you have a "hot" number that is right to the disc jockey room. So I couldn't get a hold of that.

But in the meantime I called Gordon McLendon's home, because I know he lives near the Synagogue out there, and I got a little girl on the phone, and I knew they had children, and I asked for the number of KLIF. I said, "Anyone home?" She said, "no." I said, "Is your Daddy or Mommy home?" I forget what transpired. I said, "I would like to get the number of the station so that I can get in the building at this time."

She said she would go and see, and gave me a Riverside exchange. Mind you, this is six or seven months back, gentlemen. And I asked her name. Her name was Christine, I think. I said, "I wanted to bring some sandwiches. She said, "My mother already brought sandwiches." And I said I wanted to go there too. And that was the end of this little girl's conversation with myself. I called that number, as I am repeating myself. There was no such number. It was an obsolete number.

I go down to the—I drive by—I leave the delicatessen—the clerk helped me with the sandwiches out to my car, and I thanked him. I told him, "These were going to KLIF, and I want you to make them real good." He helped me with the sandwiches in the car. I got in the car and drove toward town. I imagine it is about four or five miles to the downtown section from this delicatessen.

Enter: Lee Oswald

But prior to going into the station, I drove up McKinney Avenue to look over a couple of clubs to see if they were activating. I knew the club across from Phil's Restaurant and I knew the B&B Restaurant was open. That is a restaurant and I know the necessity for food, but I can't understand some of the clubs remaining open. It struck me funny at such a tragic time as that happening.

I drove down to Commerce and Harwood and parked my car with my dog—incidentally, I always have my dog with me—on the lot there, left the sandwiches in the car, and went into the building of the police station, took the elevator up to the second floor, and there was a police officer there.

This is the first time I ever entered the building, gentlemen. The first time of that Friday. This time it must have been about—I mean the time, the time of my entering the building, I guess, was approximately 11:15 p.m. The officer was there, and I said, "Where is Joe Long?" I said, "Can I go and look for him?"

Evidently I took a little domineering part about me, and I was able to be admitted. I asked different reporters and various personalities there, "Are you Joe Long?" and I couldn't locate him. I even had a police officer try to page him and he couldn't locate him. I recognized a couple of police officers, Cal Jones and a few others, and I said "hello" to them. And I am still looking for Joe Long, but I am carried away with the excitement of history.

And one fellow then—I am in the hallway there—there is a narrow hallway, and I don't recall if Captain Fritz or Chief Curry brings the prisoner out, and I am standing about two or three feet away from him, and there is some reporters that didn't know the various police officers, and I don't know whether they asked me or I volunteered to tell them, because I knew they were looking to find out who that was, and I said, "That was Chief Curry" or "That is Captain Fritz," or whoever it was. I don't recall (Dallas County District Attorney) Henry Wade coming out in the hallway. He probably did. I don't recall what happened.

(To Mr. Tonahill: Is that for me, Joe?)

Then suddenly someone asked, either the Chief or Captain Fritz, "Isn't there a larger room we can go into?" They said, "Well, let's go down to the Assembly Room downstairs." I don't know what transpired in between from the time that I had the officer page Joe Long up to the time I was standing about three feet away from Oswald. All the things—I don't recall if I am telling you everything that happened ~~from that time~~ from the time I entered the building to the time I went down to the Assembly Room.

Catches DA in Error

I went down to the Assembly Room down in the basement. I felt perfectly free walking in there. No one asked me or anything. I got up on a little table there where I knew I wasn't blocking anyone's view, because there was an abutment sticking out, and I had my back to the abutment, and I was standing there. Then they brought the prisoner out and various questions were being shouted.

I noticed there was a Chief County or Judge Davidson, I can think of his name, one of these Precinct Court Judges, and they brought the prisoner out. I don't recall if Chief Fritz, Captain Fritz was there, or Chief Curry. I know Henry Wade was there.

And they started shouting questions and he said, "Is he the one?" And the question about the gun. And they questioned Henry Wade. "What organization did he belong to," or something. And if I recall, I think Henry Wade answered, "Free Cuba."

And I corrected Henry Wade, because listening to the radio or KLIP, it stood out in my mind that it was "Fair Play Cuba." There was a difference. So he said, "Oh yes, Fair Play Cuba," and he corrected that. I don't know how long we remained there. There was a lot of questions thrown back and forth, and this District Attorney Henry Wade was answering them to the best he could.

From the time he started, he let the reporters know that this was the guilty one that committed the crime. He specifically stated that in that room, that he was the one. It didn't

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have any effect on my mind, because whether the ~~person~~ had come out, whether he come out openly and publicly stated didn't have any bearing in my mind, because I wasn't interested in anything. All I knew, they had the prisoner. But the reporters like to know where they stand, "is he the one?"

We left out in the hallway, and I saw Henry Wade standing there, and I went over to him and said, "Henry, I want you to know I was the one that corrected you." I think it is a childish thing, but I met Henry Wade sometime back, and I knew he would recognize me. "By the way, it was Fair Play Cuba," or something to that effect.

In the meantime, as I leave Henry Wade, two gentlemen pass by and I said, "Are you Joe Long?" He said, "No, why do you want Joe Long?" And I said "I got to get into KLIF. I have got some sandwiches." And he said, "What about us?" And I said, "Some other time."

And it so happened I found out Jerry Gunkle and Sam Pease, I found out they were the names, so I did get the number, because these fellows work for a rival radio station, and he gave me the number of KLIF. And in the testimony of John Rutledge, if I recall now—this is the only time I had ever seen this person. When I went out the railing where the phone was at; people felt free to walk in.

In other words, I felt that I was deputized as a reporter momentarily, you might say. So I called one of the boys at KLIF and I said to them, "I have sandwiches for you. I want to get over there." I said, "By the way, I see Henry Wade talking on the phone to someone. Do you want me to get him over here?" And he said, "Yes, do that."

That is when everyone was beckoning Henry Wade, and I called him over and he talked on the phone to this boy. And after he finished, I didn't even tell him what station it was. I said, "Here is somebody that wants to talk to you." And I felt he wouldn't turn it down. And this fellow was very much elated that I brought him over there. And I said, "Now will you let me in?"

Broods Over Lie Test

He said, "I will only leave the door open for five minutes." That was after the conversation was finished with Henry Wade. I got ready to leave the building and I got up to the next floor and there was another disc jockey at KLIF, Russ Knight. He said, "Jack, where is everything happening." And he had a tape recorder.

And I said, "Come on downstairs," and led him downstairs. And there was Henry Wade sitting there. And I said, "Henry, this is Russ Knight." And I left him there with Henry Wade, and I went to my car and drove over to KLIF which is a block away from there.

And it was a little chilly that night, as I recall, but by bringing Russ Knight over to Henry Wade, I delayed too

TESTIMONY	
1	STATE OF TEXAS
2	COUNTY OF DALLAS
3	I, HILLEN LADWICK, a Notary Public in and for Dallas
4	County, Texas, do hereby certify that the facts as stated by
5	me in the caption hereto are true; that the foregoing answers
6	in response to the questions propounded by Chief Justice Earl
7	Warren and members of the President's Commission, as indicated
8	were made before me by JACK RUBY, the witness hereinbefore
9	named, after said witness had been first duly cautioned and
10	sworn to testify the truth, the whole truth and nothing but
11	the truth, and were thereafter reduced to typewriting by me,
12	and that the above and foregoing questions and answers as
13	set forth in typewriting are a full, true, correct and
14	complete transcript of the same, had at the time of taking
15	said I.O. on Sunday, June 7, 1964, Dallas County Jail, Main
16	& Houston Streets, Dallas, Dallas County, Texas.
17	Given under my hand and seal of office on this the
18	7th day of June, A.D. 1964.
19	<i>Hillean Ladwick</i>
20	Notary Public in and for Dallas County, Texas.
21	My commission expires June 2, 1968.
22	CONFIDENTIAL

long to get to KLIF, and I had to wait fifteen minutes until Russ Knight came from finishing his interview with Henry Wade. I had the sandwiches with me and some soda pop and various things, and Russ Knight opened the door and we went upstairs.

(Arlen Specter, a Staff Counsel, entered the room.)

CHIEF JUSTICE WARREN: This is another man on my staff, Mr. Specter. Would you mind if he came in?

(Chief Justice Warren introduced the men around the room.)

RUBY: Is there any way to get me to Washington?

CHIEF JUSTICE WARREN: I beg your pardon?

RUBY: Is there any way of you getting me to Washington?

CHIEF JUSTICE WARREN: I don't know of any. I will be glad to talk to your counsel about what the situation is, Mr. Ruby, when we get an opportunity to talk.

RUBY: I don't think I will get a fair representation with my counsel, Joe Tonahill. I don't think so. I would like to request that I go to Washington and you take all the tests that I have to take. It is very important.

MR. TONAHILL: Jack, will you tell him why you don't think you will get fair representation?

RUBY: Because I have been over this for the longest time to get the lie detector test. Somebody has been holding it back from me.

CHIEF JUSTICE WARREN: Mr. Ruby, I might say to you that the lateness of this thing is not due to your counsel. He wrote me, I think, close to two months ago and told me that you would be glad to testify and take, I believe he said, any test. I am sure of that, but would be glad to testify before the Commission. And I thanked him for the letter. But we have been so busy that this is the first time we have had an opportunity to do it. But there has been no delay, as far as I know, on the part of Mr. Tonahill in bringing about this meeting. It is our own delay due to the pressures we had on us at the time.

RUBY: What State are you from, Congressman?

CONGRESSMAN FORD: Michigan. Grand Rapids, Michigan.

CHIEF JUSTICE WARREN: I will be glad to talk that over, if we can. You might go right ahead, if you wish, with the rest of your statement.

RUBY: All right. I remained at KLIP from that moment on, from the time I got into the building, with Russ Knight. We talked about various things. I brought out the thought of this ad that Bernard Weisman had placed in the newspaper, and I also told Russ the one I admired by Gordon McLendon.

He came out with an editorial about the incident with Adlai Stevenson and all those things. He is one person that will immediately go to bat if anything is wrong. He will clarify it. And I told Russ Knight there were some other things that were occurring at the time. So I remained there until about 2:00 a.m. in the morning and we all partook of the sandwiches and had a feast there. And they spliced the various comments they got back and forth of Henry Wade, of Russ Knight's copy of Russ Knight's items of Henry Wade.

'Lots of Things Happened'

CHIEF JUSTICE WARREN: Mr. Ruby, this is the young man, Mr. Specter. He is a member of our staff, and he comes from Philadelphia.

(Ruby shakes hands with Mr. Specter.)

RUBY: I am at a disadvantage, gentlemen, telling my story.

CHIEF JUSTICE WARREN: You were right at the point where you had it about 2:00 o'clock in the morning and you had had your feast, as you mentioned, and had talked to these men, and so forth. That was the last that you had told us.

RUBY: Well, lots of things occurred up to that. They talked pro and con about the tragedy. At 2:00 I left the building. I drove—I was going to go toward the Times Herald building, because as a result—I very rarely go there for my weekend ad, because once I get the ad into the Morning News,

~~which in the earlier issue, all I had to do is call the newspaper~~
and they transpire the same ad that I had into the newspaper
—into the Morning News.

And I promised one of the boys working in the Times Herald building there—I was in the act, in the business of a twist board deal I was promoting as a sales item by advertisement and mail order, and I had been evading him, or didn't have time to go out there because it was very late when I left the Club, and I didn't want to stop, but because this was an early morning, I thought this would be the right time to go over there, plus the fact of changing my ad I had in the Morning News to the close of three days, that I would go over there and maybe add a little more effectiveness to it in the way I wanted the ad placed.

As I was driving toward the Times Herald with the intention of doing these things, I heard someone honk a horn very knudly and I stopped. There was a police officer sitting in a car. He was sitting with this young lady that works in my Club, Kathy Kay, and they were very much carried away. And I was carried away; and he had a few beers, and it is so bad about those places open, and I was a great guy to close; and I remained with them—did I tell you this part of it?

MR. MOORE: I don't recall this part, no.

RUBY: I didn't tell you this part because at the time I thought a lot of Harry Carlson as a police officer, and either it slipped my mind in telling this, or it was more or less a reason for leaving it out, because I felt I didn't want to involve them in anything, because it was supposed to be a secret that he was going with this young lady. He had marital problems.

I don't know if that is why I didn't tell you that. Anyway, I did leave it out. His name is Harry Carlson. Her name is Kathy Kay. And they talked and they carried on, and they thought I was the greatest guy in the world, and he stated they should cut this guy inch by inch into ribbons, and so on. And she said, "Well, if he was in England, they would drag him through the streets and would have hung him." I forget what she said.

I left them after a long delay. They kept me from leaving. They were constantly talking and were in a pretty dramatic mood. They were trying and carrying on.

Tolson
 Belmont
 Mohr
 Casper
 Callahan
 Conrad
 DeLoach
 Evans
 Gale
 Rosen
 Sullivan
 Tavel
 Trotter
 Tele Room
 Holmes
 Gandy

Story of the Shocking Moment

By DOROTHY
 KILGALLEN

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 New York Journal-American

Shortly before noon on Sunday, June 7, Earl Warren, Chief Justice of the U.S. Supreme Court, sat down opposite Jack Ruby, the convicted killer of Lee Harvey Oswald, the man accused of assassinating President Kennedy.

For the next three hours and five minutes, the august and distinguished Chief Justice and the little guy from Chicago's slums—the little guy who never made it—talked about what happened that terrible weekend of last Nov. 22—

The weekend that started with the murder of the President on Friday and ended 48 hours later with Ruby firing a bullet into Oswald's abdomen in the basement of the Dallas City Jail.

From sources close to the Warren Commission in Washington, I obtained the transcript of what was said last June 7 in a neat but clinically cold interrogation room of the Dallas County Jail.

THE THINGS UNSAID . . .

It is a fascinating document—fascinating for what it leaves unsaid, as well as for what it says.

Persons—including Ruby and Chief Justice War-

The Washington Post and Times Herald
 The Washington Daily News
 The Evening Star
 New York Herald Tribune
 New York Journal-American
 New York Mirror
 New York Daily News
 New York Post
 The New York Times
 The Worker
 The New Leader
 The Wall Street Journal
 The National Observer
 People's World
 Date

EX-108

NOT RECORDED
 191 SEP 1 1964

67 SEP 8 1964

ten—were present in the interrogation room when Ruby began his recital. But eventually it was Jack Ruby who dominated.

He was told to tell his story, and he did, in thousands of words and hundreds of sentences, some of which rambled on to the point of being without sense.

But in the end, Jack Ruby told much about himself that day.

He opened the floodgates of his mind and unloosed a stream of consciousness that would have dazzled a James Joyce buff and enraptured a psychiatrist.

SMALL MAN, LARGE EGO

Jack Ruby bared to the Chief Justice his emotions, his fears, his triumphs and his ego—a large ego for such a small man.

And what of those who listened to him?

I read the transcript three times in one sitting. And it seemed to me that the Chief Justice and the Warren Commission's General Counsel, J. Lee Rankin, were acutely aware of the talk both here and in Europe that President Kennedy was the victim of a conspiracy.

They took pains to prove to themselves and the world that no conspiracy existed. So perhaps the most important question contained in the 102-page transcript is this:

CHIEF JUSTICE WARREN: May I ask you this question, and this is one of the questions we came here to ask you. Did you know Lee Harvey Oswald prior to this shooting?

RUBY: That is why I want to ~~draw the~~ ~~defence~~ ~~text~~. Just saying no isn't sufficient.

STICKS TO POINT

~~Through~~ his entire testimony Jack Ruby stuck to one theme: He had shot Oswald because he didn't want Mrs. Kennedy, the President's widow, to be forced into the ordeal of testifying at the accused assassin's trial.

"I was never malicious toward this person (Oswald)," Ruby told the Chief Justice at one point. "No one else requested me to do anything."

"I never spoke to anyone about attempting to do anything," he continued. "No subversive organization gave me any idea. No underworld person made any effort to contact me. It all happened that Sunday morning."

The hint of conspiracy was very much in the air again when Mr. Rankin asked Ruby if he knew Officer J. D. Tippit, the policeman allegedly shot and killed by Oswald some 45 minutes after the assassination.

"I knew there was three Tippits on the force," Ruby replied. "The only one I knew used to work for the Special Services, and I am certain this wasn't the Tippit, this wasn't the man."

PUZZLING STATEMENT

So Jack Ruby swears he didn't know Officer J. D. Tippit. And this is rather strange. Because according to the Dallas police, Ruby knew every cop on the force.

Didn't Dallas authorities explain that it was because Ruby was so well known within the department that he was able to get so close to Oswald that Sunday morning? Didn't Dallas authorities explain that no policeman would think of questioning the presence of good old Jack Ruby?

Yet, Officer J. D. Tippit was a complete stranger to the man who prided himself on his close association with the Dallas police.

Despite Ruby's statement that he wasn't acquainted with Officer Tippit, Mr. Rankin pressed on.

"There was a story," Mr. Rankin told Ruby, "that you were seen sitting in your Carousel Club with Mr. (Bernard) Weissman, Officer Tippit, and another man who has been called a rich oil man, at one time shortly before the assassination. Can you tell us anything about that?"

WHO WAS IT?

Ruby answered the question with a question of his own:

"Who was the rich oil man?"

MR. RANKIN: Can you remember? We haven't been told. We are just trying to find out anything that you know about him.

RUBY: I am the one that made such a big issue of Bernard Weissman's ad. (The ad, extremely critical of President Kennedy, appeared in a Dallas newspaper the day of the assassination.) Maybe you do things to cov-

er up, if you are capable of doing it.

Ruby then launched into an account of visiting a Dallas club Saturday afternoon. But Mr. Rankin and Chief Justice Warren pressed him about reports of the meeting.

QUERIES WARREN

"How many days prior to the assassination was that?" Ruby asked.

"My recollection is that it was a week or two," the Chief Justice replied.

"Did anyone have any knowledge that their beloved President was going to visit here prior to that time, or what is the definite time that they knew he was coming to Dallas?" Ruby countered.

"Well, I don't know just what those dates are," Chief Justice Warren replied.

"I see," said Ruby. And at that point it almost appeared as if Ruby and Mr. Warren had changed places—that Ruby was the interrogator and the Chief Justice his witness.

UNAWED BY WARREN

Ruby then skipped on to his life in Chicago. And while he never admitted that the reported meeting took

place, he never directly denied it either.

If you get the impression from reading the transcript that Ruby wasn't the least bit awed by the Chief Justice of the U.S. Supreme Court, you are absolutely right.

About a third-of-the-way through his testimony, the ex-striptease impresario turned to the Chief Justice and asked:

"Is there any way of you getting me to Washington?"

One can almost picture the look of surprise and consternation that passed across Mr. Warren's face. For he said, quite simply:

"I beg your pardon?"

DOMINATED BY RUBY

At another point Ruby asked Mr. Warren if he knew a local disc jockey.

"I think I do not," the Chief Justice replied rather coolly.

Yes, indeed, Jack Ruby dominated—

Dominated to the point where he engaged in an argument with Joe Tonahill, one of his defense lawyers.

"You are lying, Joe Tonahill," Ruby accused. "You are lying."

Dominated to the point where Sheriff Bill Decker and the other law enforce-

ment officers left the room so that Ruby would continue with his story.

Dominated to the point that Mr. Warren promised Ruby he would have a lie detector test. And the Chief Justice made good on his promise. The test was administered last month.

'I AM FINISHED'

Yet, there was a great deal of fear inside Jack Ruby that Sunday in June. He feared for his own life; he feared for the lives of his brothers and sisters.

"When you leave here," Ruby told Mr. Warren at one point, "I am finished. My family is finished."

And then, in perhaps his strangest statement of all, Jack Ruby, who had finally achieved the notoriety he always longed for, said:

"You have a lost cause, Earl Warren. You don't stand a chance. They feel about you like they do about me, Chief Justice Warren."

But perhaps that statement wasn't so strange after all. What Jack Ruby had done was to put himself in the same boat as the Chief Justice of the U.S. Supreme Court.

Not bad for a little tough guy from Chicago's slums.



The Warren Commission. Left to right: Rep. Ford (R-Mich.); Rep. Boggs (D-La.); Sen. Russell (D-Ga.); Chief Justice Warren; Sen. Cooper (R-Ky.); John J. McCloy, New York banker; Allen Dulles, former CIA director, and J. Lee Rankin, counsel.

Wirephoto from AP



As Ruby Fired Fatal Shot at Kennedy's Assassin

Copyright 1963 The Dallas Times-Herald and Photographer Bob Jackson via AP Wirephoto

(Mount Clipping in Space Below)

BELLI CREDITED**Ruby Perks Up,
Lawyer Reports**

Attorney Emmett Colvin Jr. said Saturday he believed spirits of his client, Jack Ruby, were improved by a Friday night visit from Melvin Belli.

"I hadn't seen that man smile in a long time," said Colvin, describing how Ruby broke into a grin at the sight of Belli.

Ruby is condemned to death for his slaying of accused assassin Lee Harvey Oswald. Belli, colorful San Francisco lawyer, headed Ruby's trial defense but was discharged after his outbursts following the jury verdict.

Colvin said Belli did not discuss legal strategy during the meeting with Ruby. He talked instead about a vacation he had taken in Canada.

"Good to see you smiling," said Belli. "How have you been?"

Ruby said he had been "all right."

Belli said he had come "as a friend" to see Ruby and tell him that he was "still interested" in his case.

The Californian told the prisoner that he was preparing a brief to aid the defense team.

Sheriff's Deputies E. R. Walthers and Grady McMahan stayed nearby during the visit.

Walthers said the men talked for 15 minutes. "They were friendly and shook hands," he said. "It was a break in routine, and Jack Ruby seemed glad to see him."

Earlier, Belli spent several hours in a legal conference with Ruby attorneys Phil Burleson, Clayton Ewler and Colvin.

Colvin said Belli plans to pre-

pare research papers and a brief to aid the defense team in appealing the verdict.

Colvin said the defense attorneys welcomed any assistance from Belli although Belli is not officially connected with the case any longer.

Only about 2,000 pages of court record on the trial has been completed, said Colvin. The rest of the record will not be available for defense attorneys until late September, he said. He expects the entire record to be about 6,000 pages.

"When you haven't got the record, it is wise to confer with attorneys who tried the case," said Colvin. He pointed out a possibility that Belli might file a brief with the Court of Criminal Appeals as a friend of the court. He said that any attorney can act in such capacity.

Colvin believes it will be next January or February before the appeal is argued before appellate court.

Belli quietly registered under an assumed name at the Western Hills Hotel in Fort Worth Friday. He used the name "H. Cobden."

In the Western Hills Key Club, a waiter hovered about the table saying "Yes, Mr. Cobden" and "You bet, Mr. Cobden" at every request from the diner.

When "Mr. Cobden" arose to leave the room, however, the waiter slipped and said: "Good-by, Mr. Belli."

H. Cobden checked out Saturday. Colvin said he understood Belli to say that he was returning to San Francisco.

—KENT BIFFLE

(Indicate page, name of newspaper, city and state.)

9

"The Dallas
Morning News"
Dallas, Texas

Date: 8-16-64
Edition:
Author:
Editor:
Title: Jack B. Krueger

Character:
or
Classification:
Submitting Office: Dallas
☐ Being Investigated

REC-3

NOT RECORDED
91 SEP 4 1964

(Mount Clipping in Space Below)

Belli Visits Ruby, Defense Attorneys

By HUGH AYNESWORTH

Dapper Melvin Belli, the San Francisco attorney who headed the defense in the trial of slayer Jack Ruby, Friday night paid a surprise 26-minute visit with the condemned man and conferred with lawyers now appealing the case.

Belli joined attorneys Phil Burleson and Emmett Colvin Jr. in an 11 p.m. visit to the Dallas County jail where Ruby has been confined since the Nov. 24 killing of accused presidential assassin Lee Harvey Oswald.

Earlier Friday, Belli — using a false name — registered at the Western Hills Hotel in Fort Worth where he met for six hours with Colvin, Burleson and Clayton Fowler, who now heads the defense team. Belli was fired by the Ruby family after a jury assessed the death penalty on March 14.

Belli's encounter with his for-

mer client was their first since Ruby was sentenced.

The conference touched off speculation that the Dallas lawyers wanted to discuss strategy which they will follow in appealing the death penalty.

One source said the lawyers wanted to discuss the record with Belli "and to get his thinking on it." Reportedly they went over the portion of the case record which has been transcribed—about one-third — and studied newspapers.

The group came to Dallas about 10 p.m. and went to Colvin's office on Main Street.

Shortly before 11 p.m., they walked the two blocks from the law office to the jail, where numerous deputies were on hand to escort them to Ruby's cell.

Asked if he was coming back into the case, Belli said:

"No, I just have a personal interest and I don't want to discuss

it any more right now."

Earlier in Fort Worth, Belli said he hadn't been invited to re-enter the case "and I would refuse if I were."

When questioned about any correspondence he might have had with Ruby since the verdict, he said, "I don't think it would be fair for me to elaborate on anything concerning the case now."

Colvin, Belli and Burleson left the county jail building at 11:26 p.m. and walked to a parked car. Belli said he was leaving town.

A reporter asked Belli if he still held the animosity toward Dallas he showed the day of the verdict. He did not reply.

"Don't tell me you like Dallas, Mel," another reporter chided.

"Yes, I certainly do," Belli replied, walking at a fast clip.

"Anybody who believes otherwise should read my statements carefully."

Mrs. Eva Grant, sister of Ruby, said Belli telephoned her and her brother Sam Ruby "about 6 p.m."

"He just wanted to get together with the others," Mrs. Grant said. "He was concerned about Jack. He told me the verdict had been bothering him and he hoped to visit Jack."

(Indicate page, name of newspaper, city and state.)

1
"The Dallas Morning News"
Dallas, Texas

Date: 8-15-64
Edition:
Author:
Editor:
Title: Jack B. Krueger

Character:
or
Classification:
Submitting Office: Dallas
☐ Being Investigated

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191 SEP 4 1964

70 SEP 8 1964

(Mount Clipping in Space Below)

Ruby Trial Judge Defends Officer Accused of Perjury

By CARL FREUND

Judge Joe B. Brown defended Police Sgt. Patrick Dean Friday against a charge by defense lawyers that the officer testified falsely during the Jack Ruby murder trial.

Judge Brown said the accusation is "merely a conclusion of the defendant which is not supported by, but is at variance with, the official record."

The jurist made the statement as he challenged defense arguments that Ruby is entitled to a new trial.

Defense attorneys Phil Burleson, Emmett Colvin Jr., Clayton Fowler and Joe Tonahill filed 15 formal bills of exception July 28 in which they cited reasons why they think the Texas Court of Criminal Appeals should grant Ruby a new trial.

Judge Brown replied to the arguments in papers filed with his clerk Friday.

Defense lawyers said testimony by Dean was especially damaging to Ruby. They charged that it was false and, in addition, was inadmissible under Texas rules of evidence.

The police sergeant told jurors he heard Ruby state that he intended to murder Lee Harvey Oswald.

Ruby made the statement, Dean related, on the fifth floor of the city jail after shooting Oswald while millions watched on television Nov. 24. Oswald had been charged two days earlier with murdering President Kennedy and Officer J. D. Tippit here.

Judge Brown said he believes the testimony was admissible on these grounds:

—The conversation between Ruby and Dean took place shortly after Oswald was shot.

—Defense lawyers had opened the door by asking questions about statements which Ruby

made after the shooting.

Judge Brown, who refused April 29 to grant Ruby a new trial, also fired back at other defense attacks on his rulings.

The jurist said he is still convinced that prospective jurors who saw the shooting on television "were not witnesses as a matter of law" and, as a result, were eligible to serve on the jury if they did not have fixed opinions.

Prosecutors showed television films during the trial without objection from the defense, Judge Brown noted.

In addition, the judge said, defense lawyers showed other television films. Incidents shown in the films "were not contradicted or disputed during the trial," the judge contended.

Judge Brown said the defense must shoulder a major share of the responsibility for the "midnight arguments" about which Ruby's lawyers complained.

(Final arguments in the case did not end until 1:10 a.m. March 14. Defense lawyers said participants in the lengthy trial, including jurors, were physically and mentally exhausted and, as a result, Ruby was denied his constitutional rights.)

Judge Brown said he gave defense lawyer a copy of his proposed instructions to the jury after testimony ended at 10:15 a.m. March 13. The jurist said he instructed defense attorneys to return the instructions before 1:30 p.m. so that arguments could start at 2 p.m., but they kept them until after 7 p.m.

Judge Brown said he asked jurors whether they wanted to hear arguments during the night and they told him they did.

Other comments by Judge Brown:

—There is no evidence to support the defense claim that prosecutors withheld evidence that when Ruby was 10 years old he received treatment in a mental hospital. (Dist. Atty. Henry Wade says he did not have this information at the time of Ruby's trial.) At any rate, defense lawyers could have obtained this information from Ruby or his family.

—He believes jurors were "fair and impartial" despite claims by Melvin Belli, chief defense attorney during the trial, that they were prejudiced against Ruby.

—Defense attorneys waited too long to request a pre-trial sanity hearing and this is the reason he rejected their request.

Papers in the case will go to the Court of Criminal Appeals in Austin. It is expected to hear verbal arguments by attorneys early next year.

(Indicate page, name of newspaper, city and state.)

Pratt 8m

"The Dallas
Morning News"
Dallas, Texas

P. 3

for

1-11

Date: *8-8-64*
Edition:
Author:
Editor: **Jack B. Krueger**
Title: *7-1-1-1*

Character: **ORDE**

19 SEP 4 1964

Classification:

Submitting Office: **Dallas**☐ Being Investigated*Penning*

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- Training _____
- Telephone Rm. _____
- Director Sec'y _____

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A247

AM-RUM 7-13
EDITORS: MOVE LANGUAGE IN THE GRAY
NEW YORK (UPI)--A NIGHT CLUB ENTHUSIAST, WHO SAID HE ONCE WORKED
IN JACK RUBY'S DALLAS NIGHT CLUB, SAYS RUBY AND LEO HANLEY OSWALD
WERE ACQUAINTED PRIOR TO THE ASSASSINATION OF PRESIDENT KENNEDY,
ACCORDING TO THE SUNDAY NEWS.

THE COPYRIGHTED ARTICLE IDENTIFIED THE DISSEMINATOR AS WALTER
(CHALLY) WATSON, A MASTER OF CEREMONIES AT RUBY'S CAROUSEL NIGHT CLUB
IN THE PERIOD SHORTLY BEFORE THE SLAYING OF KENNEDY.

THE ARTICLE QUOTED WATSON AS SAYING THAT ABOUT THREE WEEKS BEFORE
THE ASSASSINATION HE WAS ONSTAGE AT THE CAROUSEL WHEN A MAN
APPROACHED AND ACCUSED HIM OF BEING A COMMUNIST.

WATSON SAID HE CALLED THE MAN "BASTARD" AND HE JUMPED OFF THE STAGE AND HIT THE
MAN WHO FELL BACKWARD IN RUBY'S ARMS.

"JACK GRABBED HIM AND SAID, 'YOU GOT OFF A BITE. I TOLD YOU NEVER
TO COME IN HERE.' AND THEN HE WHISTLED HIM TO THE DOOR AND THREW HIM
DOWN THE STAIRS OF THE CAROUSEL," THE ARTICLE QUOTED WATSON AS
SAYING.

WATSON SAID THAT LATER HE RECOGNIZED IDENTICAL PHOTOS OF OSWALD AS
THE MAN KICKED OUT OF THE NIGHT CLUB BY RUBY.

ACCORDING TO THE NEWS SOURCE, WATSON SAID A FEW DAYS AFTER THE
ASSASSINATION HE WAS QUESTIONED BY DALLAS POLICE AND THE FBI BUT
HE MENTIONED THE NIGHTCLUB I DIDN'T REMEMBER BY SAYING THAT OSWALD HAD
TOLD HIM HE WAS AT THE CAROUSEL.

WATSON SAID THAT LATER HE SAW PHOTOS OF OSWALD AND BECAME
CONVICTED HE WAS THE MAN WHO HAD BEEN KICKED OUT OF THE NIGHT CLUB. WATSON SAID
HIS OPINION WAS CONFIRMED BY A FRIEND, NAME *111-200-1154*
CLUB OWNER AND NIGHTCLUB ENTHUSIAST.

WATSON TOLD NEW ORLEANS THAT HE HAD SAID THAT OSWALD HAD BEEN
KICKED OUT OF THE CAROUSEL.

UPI 07-13 04:55 PM

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File 62-1154

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 Training ☒
 Telephone Rm. ☒
 Director Sec'y ☒

FBI Had Eye On Jack Ruby As Informant

The FBI attempted unsuccessfully in 1959 to develop Jack Ruby as an informant, according to a letter from former FBI Director J. Edgar Hoover released yesterday by author Mark Lane.

Lane charged at a press conference that the letter had been suppressed by the Warren Commission, which made no reference in its report to the FBI's contacts with Lee Harvey Oswald's killer.

Lane said the letter had been in a classified portion of the commission's exhibits and was obtained by him last week.

An FBI spokesman said the letter was part of the Warren Commission exhibits, but had no further comment.

The letter, addressed to J. Lee Rankin, the commission's general counsel, says an FBI agent contacted Ruby "in view of his position as a night club operator who might have knowledge of the criminal element in Dallas."

"The purpose of this contact," the letter continued, "was to determine whether or not Ruby did have such knowledge, and if so, if he would be willing to furnish information to this bureau. Ruby was advised of the FBI's jurisdiction in criminal matters, and he expressed a willingness to furnish information."

The letter added: "On March 11, 1959, at 1959, Ruby was contacted on eight other occasions but furnished no information whatever and further contact with him were discontinued."

*Jack Ruby;
Lee Harvey
Oswald
victim
CR*

*Hill
Rankin*

MM

The Washington Post *A-72*
 Washington Star-News _____
 Daily News (New York) _____
 The New York Times _____
 The Wall Street Journal _____
 The National Observer _____
 The Los Angeles Times _____

Date *JUL 25 1975*

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RUBY 12/11 DA

DALLAS (UPI)--DOCTORS FORECAST SUNDAY A LONG-TERM ILLNESS THAT WILL SLOWLY GROW MORE SERIOUS FOR JACK RUBY, THE ONCE-CONVICTED SLAYER OF PRESIDENTIAL ASSASSIN LEE HARVEY OSWALD. ONE DOCTOR INDICATED THE CANCER, DISCOVERED SATURDAY, MAY AFFECT A SECOND TRIAL EXPECTED IN FEBRUARY.

"HE IS A VERY SICK MAN," SAID DR. JAY SANFORD, PROFESSOR OF INTERNAL MEDICINE AT THE SOUTHWESTERN MEDICAL SCHOOL. "I DO NOT EXPECT HE WILL BE ABLE TO GO TO COURT," SANFORD SAID, REFERRING TO THE POSSIBLE FEBRUARY DATE.

A PROFESSOR OF SURGERY AT THE SCHOOL, DR. WATTS WEBB, SAID TREATMENT FOR THE ILLNESS WAS "A LONG-TERM THING--WEEKS ANYWAY."

RUBY'S ATTORNEY, PHIL BURLESON, SAID "WE ARE NOT EVEN THINKING ABOUT THE TRIAL" AT THIS TIME.

A MEDICAL STATEMENT FROM PARKLAND HOSPITAL SAID RUBY "SLEPT AT INTERVALS DURING THE NIGHT," AFTER FIVE QUARTS OF FLUID CAUSED BY THE CANCER WERE MOVED SATURDAY.

SANFORD SAID THE CANCEROUS LYMPH NODE CUT FROM RUBY MEANT THERE WAS A MALIGNANCY ELSEWHERE IN HIS BODY. THE DOCTOR SAID IT "COULD BE IN ANY NUMBER OF PLACES."

WEBB SAID THE NODE "WAS PRETTY WELL REPLACED BY A TUMOR."

A SPOKESMAN SAID IT WOULD BE TUESDAY BEFORE THE EXTENT OF THE DISEASE WAS KNOWN. DOCTORS WOULD NOT ESTIMATE RUBY'S CHANCE OF SURVIVAL UNTIL THE SOURCE OF THE CANCER WAS FOUND.

WEBB SAID THE FLUID TAKEN FROM RUBY'S CHEST "WAS ABOUT ALL THAT COULD HAVE BEEN PUT INTO THIS SPACE,"--AN AREA BETWEEN THE RIB CAGE AND LUNGS.

THE FORMER NIGHT CLUB OWNER WAS "FREE OF FEVER AND PAIN" SUNDAY, AND HIS RIGHT LUNG WAS REEXPANDING.

HEAVY SECURITY PRECAUTIONS FOR RUBY'S SAFETY AT THE HOSPITAL INCLUDED GUARDS, THE BARRING OF ALL UNAUTHORIZED PERSONS FROM CERTAIN AREAS AND SECRECY AS TO WHICH FLOOR OF THE HOSPITAL HE WAS ON.

MEDICAL STATEMENTS CAME FROM SHERIFF BILL DECKER.

"THERE IS NO OTHER WAY TO DO IT AND BE CERTAIN," A SPOKESMAN SAID. "THERE ARE A LOT OF PEOPLE IN DALLAS...AND THE WORLD...WHO WOULD LIKE TO SEE JACK RUBY DEAD."

RUBY WAS TAKEN TO THE HOSPITAL FRIDAY AFTER PNEUMONIA WAS SUSPECTED.

HE WAS ONCE CONVICTED OF KILLING OSWALD. THE TEXAS COURT OF CRIMINAL APPEALS OVERTURNED THAT CONVICTION AND DEATH SENTENCE, SAYING THE NEXT TRIAL MUST BE HELD AWAY FROM DALLAS.

HE WAS SCHEDULED TO BE RETRIED IN WICHITA FALLS, TEX. AND MID-FEBRUARY WAS THE EXPECTED DATE.

RUBY, 55, A NON-SPOKER, IS LODGED AT THE SAME HOSPITAL WHERE OSWALD AND PRESIDENT KENNEDY DIED.

PR-BJ609PCS..

WASHINGTON CAPITAL NEWS SERVICE

DEC 16 1965

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Tombstone Taken From Ruby Grave

CHICAGO, April 28 (UPI) — A tombstone identified as the marker from the grave of Jack Ruby, convicted slayer of the accused assassin of the late President Kennedy, was found on a Chicago street last night.

The tombstone apparently had been abandoned by vandals. It had been taken from Westlawn Cemetery in suburban Norridge, where Ruby was buried following his death of cancer in a Texas prison.

The 150 pound stone, inscribed, "Beloved Son Jack Ruby, April 25, 1911 — January 3, 1967," was found on a street two miles from the cemetery.

The Washington Post _____
 Times Herald 84 _____
 The Washington Daily News _____
 The Evening Star (Washington) _____
 The Sunday Star (Washington) _____
 Daily News (New York) _____
 Sunday News (New York) _____
 New York Post _____
 The New York Times _____
 The Sun (Baltimore) _____
 The Worker _____
 The New Leader _____
 The Wall Street Journal _____
 The National Observer _____
 People's World _____
 Date MAY 1 1968

191 MAY 1 1968

Ruby Trial's Judge Brown Dies at 60

DALLAS, Tex., Feb. 20 (UPI) — Judge Joe B. Brown, 60, who presided at the murder trial of Jack Ruby, the killer of Presidential assassin Lee Harvey Oswald, died tonight.

Judge Brown suffered a heart attack earlier today and died at 7:10 p.m. EST, at Baylor University Hospital.

The jurist was widely criticized for the way he conducted the Ruby Trial in February and March, 1964. Ruby was found guilty and sentenced to the electric chair.

The Texas Court of Criminal Appeals, which later reversed Ruby's death sentence, said Judge Brown should have moved the trial out of Dallas and cited a number of other errors.

Ruby died of cancer in January, 1967.

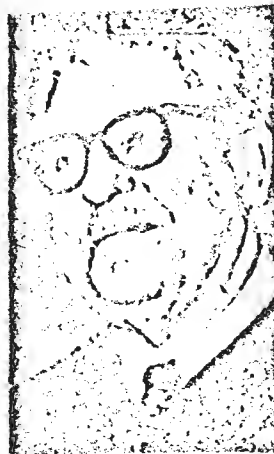
Judge Brown studied law at night school while working as a railroad clerk, but he never sought a license to practice. He was a justice of the peace, an elective post, for many years and was elected a district judge in 1957.

He was asked to resign from the Ruby case in 1965 because he was writing, with a collaborator, a book about the Ruby trial, "Ruby, Dallas and the Law."

The Judge did not finish the book.

Judge Brown said he never did understand all the criticism of his conduct of the Ruby trial.

"I thought I did a good job," he said. "I thought it was a good verdict."



Associated Press

JUDGE JOE BROWN

Tolson _____
DeLoach _____
Mohr _____
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Callahan _____
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His act was observable but the reasons for it were not. I doubt that anyone will come much closer than Wills and Demaris to fathoming Ruby's motivation for murdering Lee Harvey Oswald. (The only other writer to try at all was defense counsel Belli, but his book *Dallas Justice* was mainly a strident apologia for his puzzling trial tactics and was soon, and mercifully, remaindered.) The answer to the vexing Ruby question is infinitely more complex than the one given by a Dallas bail bondsman: "Well, everyone was saying the sonovabitch needs killing, and Jack was anxious to please." It is clear that Ruby himself could not fully comprehend why he had done what he did: as his Warren Commission testimony reveals, he viewed his own conduct in a glass very darkly. And yet the authors, although hampered occasionally by a dearth of hard facts, have accomplished an impressively plausible reconstruction of the ingredients of Jack Ruby's final explosion.

If this book did nothing more than plumb Ruby's strange personality it would be open to the charge that it tells more about Ruby than anyone cares, or needs, to know. Ruby the man, after all, was unimportant, just as most of the members of his drama—Judge Joe B. Brown, Henry Menasco Wade, Belli—are unimportant. But Ruby's act was important; it set important things in motion. The authors discuss these matters, too.

Ruby's crime set in motion this country's machinery of justice. It did not serve him well. Wills and Demaris stumble now and then in describing Ruby's farcical trial (a minor criticism; only lawyers will know for sure), but one thing they demonstrate beyond question. During the course of a disastrous defense Ruby was turned into the very thing he never wanted to be, a shrunken, fractured clown. The authors, who carry rapiers, more than suggest that this transformation was itself consummated by a cast of buffoons.

Ruby's crime, inextricably bound up with Oswald's, also set in motion an investigative process of unprecedented dimensions. In turn, a band of conspiratorialists emerged to weave phantasmagorical theories that included a protesting Ruby. Jack Ruby became, in their lucrative conjectures, the designated silencer of a co-conspirator.

The authors, in a perceptive fact-analysis, shred the hypotheses of those who would make an avocation of John Kennedy's assassination and its grotesque aftermath. They draw back the corpse of Jack Ruby from the hands of the Mark Lanes and the Harold Weisbergs and lay it to rest again. It is a not inconsiderable service. (Nothing, of course, can be done about Mrs. Marguerite Oswald's contention that Ruby is still alive and plotting further killings.)

Admirable as they are, however, Wills and Demaris fail in one vital respect. They do not explain how one essentially unimportant man, Jack Ruby—caught up in the movement of history—could be so ill-used by

almost everyone and everything that touched him before he disappeared. If it be fairly said that this one large failure was inevitable, then it must be in the same breath be said that American justice is more imperfect than most of us have thought.

BOOK WORLD January 14, 1963



Jack Ruby, manacled, on way to sanity hearing.

John R. Wiltz, co-author of *The Trial of Jack Ruby*, teaches at Northwestern University Law School.

BOOK WORLD January 14, 1963

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ADELSON 5/21 WX

URGENT

DETROIT (UPI)--AN ATTORNEY FOR THE LATE JACK RUBY'S FAMILY SUNDAY SAID NEW ORLEANS DISTRICT ATTORNEY JIM GARRISON TOLD HIM RUBY, PRESIDENTIAL ASSASSIN LEE HARVEY OSWALD, AND CLAY SHAW WERE ALL EMPLOYED BY THE CENTRAL INTELLIGENCE AGENCY.

ALAN ADELSON, AN ATTORNEY FOR THE RUBY FAMILY, SAID GARRISON MADE THE DISCLOSURES TO HIM IN NEW ORLEANS LAST WEEK.

"IF GARRISON HAS ANYTHING AT ALL IT'S GO TO BE TRUMPED UP," ADELSON SAID. "I KNOW FOR A FACT THAT JACK RUBY NEVER MET OR KNEW OSWALD OR SHAW. AND I CAN PROVE IT IN A COURT OF LAW."

ADELSON SAID HE WOULD ASK ATTORNEYS FOR SHAW, THE FORMER DIRECTOR OF THE NEW ORLEANS TRADE CENTER AND LINKED BY GARRISON TO THE ASSASSINATION OF PRESIDENT KENNEDY, IF HE COULD ASSIST THEM IN SHAW'S DEFENSE.

"I DIDN'T WANT TO GET INTO THIS NEW ORLEANS THING," SAID ADELSON. "BUT NOW THAT GARRISON IS CONNECTING JACK RUBY WITH THIS I FEEL I HAVE TO. THEN GARRISON TOLD ME ABOUT HIS CIA THEORY I COULDN'T QUITE BELIEVE IT."

"I ASKED GARRISON THE OBVIOUS QUESTION" "IF RUBY WAS EMPLOYED BY THE CIA TO KILL OSWALD WHY DIDN'T HE DO IT WHEN HE SAW HIM FOR THE FIRST TIME ON FRIDAY NIGHT INSTEAD OF WAITING?" HE DIDN'T HAVE AN ANSWER. IN MY OPINION THIS KNOCKS HELL OUT OF HIS WHOLE CASE."

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64 MAY 21 1967

WASHINGTON CAPITAL NEWS SERVICE

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ADELSON 5/21 PM

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ADELSON SAID GARRISON TOLD HIM SOME "CONFIDENTIAL THINGS" ABOUT THE RUBY LINK BUT WOULD NOT ELABORATE ON HIS THEORIES CONNECTING THE THREE MEN WITH THE CIA.

"I INVESTIGATED THOSE CONFIDENTIAL THINGS AND FOUND EVERY ONE TO BE FALSE," ADELSON SAID. "GARRISON TOLD ME HE WAS AN EYEWITNESS WHO SAW OSWALD AND RUBY TOGETHER IN NEW ORLEANS. BUT IF HE'S ANYTHING LIKE THE REST OF GARRISON'S WITNESSES HE'S GOT TO BE PAID OFF, DOPED, OR HYPEROTIZED. THEY JUST DON'T EXIST."

ADELSON SAID HE WANTS TO JOIN NEW ORLEANS ATTORNEY ED HEGMAN IN THE DEFENSE OF SHAW BECAUSE OF THE HORRIBLE FALSE CHARGES GARRISON IS MAKING AGAINST RUBY.

"I FEEL

"I FEEL I KNOW MORE ABOUT JACK RUBY THAN ANYONE IN THE COUNTRY. I'VE RESEARCHED THE COMPLETE THING AND HAVE THE ADVANTAGE OF KNOWING WHAT TYPE PERSON JACK RUBY WAS--BECAUSE OF BEING SO CLOSE TO HIS BROTHERS AND SISTERS."

ADELSON, AN ATTORNEY FOR RUBY'S BROTHER EARL FOR FIVE YEARS, SAID HE IS MYSTIFIED ABOUT WHERE GARRISON IS GETTING ALL THE MONEY TO SPEND ON HIS INVESTIGATION.

"PEOPLE IN DALLAS HAVE BEEN SPENDING LOTS OF MONEY TO CLEAN UP THE LAD NAME THAT CITY GOT AS A RESULT OF PRESIDENT KENNEDY'S ASSASSINATION THERE. AND I'M WONDERING IF IT'S POSSIBLE THAT SOME DALLAS MILLIONAIRES MIGHT BE FINANCING GARRISON FOR THE PUBLICITY JUST TO MAKE DALLAS LOOK A LITTLE BIT BETTER," ADELSON SAID.

ADELSON ALSO REVEALED SUNDAY THAT HE IS WRITING A BOOK ABOUT JACK RUBY AND HIS CONNECTION WITH KENNEDY'S KILLING.

"THE BOOK WILL BE A DEFENSE OF THE WARREN COMMISSION'S FINDINGS... THAT THERE WAS NO CONSPIRACY. AND IT WILL BE BACKED UP BY PROOF FROM TESTIMONY MADE BEFORE THE COMMISSION, BY PEOPLE I HAVE TALKED TO, AND BY TESTIMONY IN RUBY'S MURDER TRIAL IN DALLAS."

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ADELSON 5/21 EX

URGENT

DETROIT (UPI)--AN ATTORNEY FOR THE LATE JACK RUBY'S FAMILY
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 FOR MR. TOLSON

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 GARRISON IS MAKING AGAINST RUBY."
 "I FEEL

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 BY ACTIVITY IN RUBY'S MURDER TRIAL IN DALLAS."

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 PICKUP 5TH PGM 275A: "I DIDN'T
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 BY GARRISON TO THE ASSASSINATION OF PRESIDENT KENNEDY, IF HE COULD
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 TOLSON SAID HE WOULD ASK ATTORNEYS FOR CLARIFICATION. THE HUNT
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FOR MR. TOLSON

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Ruby Jailer Resigns Game Warden Post

HOUSTON, April 5 (AP).—Norman Hooten, the former Dallas deputy sheriff who says Jack Ruby made many disclosures to him, has resigned his post as a game warden.

He said he resigned under fire from his superior. But J.R. Singleton, executive director of the Parks and Wildlife Department, said he did not know why Hooten quit.

Hooten was a guard in the Dallas county jail while Ruby was confined there. Ruby killed Lee Harvey Oswald, named by the Warren Commission as the assassin of President John F. Kennedy.

Hooten says he is writing a book about what Ruby told him in jail. He also said Ruby wrote a will in jail that left Hooten several small items.

Hooten said Singleton told him he had "no business being involved in writing any books about Jack Ruby or knowing anything about the assassination."

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"The Truth About the Assassination"-IV

Ruby's Historic Bullet Fell Short of Big-Shot Ambition

By Charles Roberts

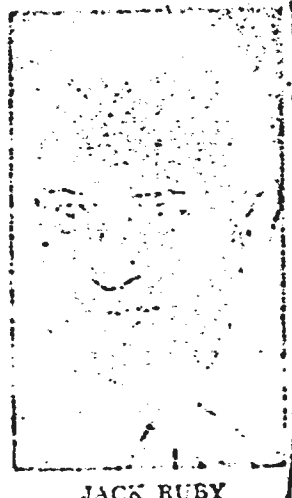
Fourth of six articles from
"The Truth About the Assassination" by the White House
correspondent of Newsweek.

The story of Jack Ruby's life is that he wanted to be a big shot and never made it. On Nov. 24, 1963, two days after President Kennedy's assassination, he shot his way into history with one well-aimed bullet from a .38-caliber revolver.

But even then, playing before a nationwide TV audience, he failed in his ambition. The man he killed, Lee Harvey Oswald, was an easy target, manacled to a detective. And the world, it turned out, wanted that man to live—so that he could answer for the murder of John F. Kennedy.

When Ruby died of a blood clot in his cancerous lungs three years later at Parkland Hospital—where Mr. Kennedy and Oswald had died before him—he was awaiting a second trial for the murder of Oswald. Convicted once, he had escaped the electric chair on grounds he didn't get a fair trial.

He had made headlines and achieved notoriety. In the eyes of some authors, he had become part of a conspiracy. But he still hadn't achieved the "glory" that he sought from boyhood to the grave.



JACK RUBY
... a failure

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Too Many Children

At 11, with an "adequate" turn for his favors, he got 10 of 91 but tenant and "incon-venient" results. He was arrested at home. Ruby, growing 20 times for traffic violations, up on Chicago's Westlons, paid seven fines and Side, was referred to Illinois twice was placed on probation Institute for Juvenile Re- as a "habitual motor vehicle search. "He is eccentric and delinquent." He was arrested expects much attention, but is eight times on such charges as unable to get it as there are disturbing the peace, carrying many children at home, his concealed weapon (twice), psychiatric interviewer report simple assault, selling liquor after hours, permitting dancing after hours (twice) and is- scalped tickets for football nering his traffic tickets.

As a high school dropout, he- ing after hours (twice) and is- scaled tickets for football nering his traffic tickets. Here he fared better than games and fights, hustled pea- nuts, sold horse racing tip the average citizen, paying sheets, peddled carnations in only a \$10 fine for disturbing night clubs and hung out at the peace, forfeiting bonds of Dave Miller's gym. \$25 and \$35 on the dancing

There, one of his idols, Bar- and scofflaw charges and get- ney Ross, worked out. Barney- ting complaints dropped or who once ran errands for Al, winning dismissal on the rest. Capone, became a big shot— He had a tougher time with world's lightweight and wel- the state Liquor Control terweight champion. It was Board, getting his license sus- the Capone era in Chicago. pended twice for obscene Some of Ruby's other West- shows, once for an employee's Side friends made it big in the "moral turpitude" and once for writing bad checks to gangs. liquor wholesalers.

Drafted in 1943, Ruby served three years stateside in the Army Air Force, rising to the rank of private first class. Occasionally he peddled punchboard chances, and in his barracks he was rated a better card player than soldier. He was an "emotional person," his staff sergeant recalled, who "wept openly" when FDR died.

Paid to Get Out

In Chicago after the war, Ruby became a natty dresser, a moderately successful ladies' man and a quarrelsome partner in a novelty manufac- turing business (key chains, bottle openers) with brothers Earl and Sam. When the brothers paid him \$14,000 to

quit the business in 1947, he joined sister Eva in a Dallas venture called the Singapore Supper Club. He also changed his name to Ruby. From that day until he shot Oswald, Ruby was an operator of un- successful night clubs.

The Dallas cops knew him as a "police buff." The Warren Commission found "no credible evidence that Ruby sought special favors" but concluded gingerly that "his relationship to members of the Dallas Po- lice Department is not suscep- tible of conclusive evalua- tion."

He Ruby sought favors in re-

From the point of view of the assassins, the decision to mur- der Oswald—though the risks involved were immense—might well have been soundly calculated."

Conspiratorial Keystone?

This is the man that Lane, Weisberg, Buchanan and other doubters of the Warren Com- mission Report pretend to be- lieve played a key role in a conspiracy by killing Oswald. With most of the critics, who are spared the necessity of of- fering more than innuendo by way of proof, the implicat- ion is that Ruby was part of a conspiracy that killed Mr. Kennedy, too. The charge is made in oblique fashion:

"Whether Oswald was mur- dered because he was part of a conspiracy and the con- spirators wanted to silence him, or because his ultimate vindication would have caused a search for the real criminal to take place," says Lane

By the time the reader un- tangles the subjunctives of that sinister pronouncement, he is confronted with these al- ternatives by Lane: (1) Oswald was trigger man in a con- spiracy to kill Mr. Kennedy, after which Ruby, one of sev- eral other conspirators, killed Oswald to silence him, or (2) Oswald was innocent of Mr. Kennedy's murder but the "as- sassins" (plural), including Ruby, decided to kill him so that the "real criminals" would not be sought.

Undigestible Alternatives

The mind boggles at either alternative. First, the thought of Oswald and Ruby, two un- likely plotters who didn't know each other, participating in a scheme whereby Oswald wound up dead and Ruby was sentenced to the electric chair—all without either Oswald or the garrulous Ruby talking—must tax the imagination even of far-out whodunit fans.

Second, the idea of Oswald, who owned the rifle that killed Mr. Kennedy, being en- tirely innocent but still getting rubbed out by the assassins who did kill Mr. Kennedy, with Ruby as their killer, is beyond human ken.

But Lane is not deterred by such problems so long as he has a credulous audience and a few discredited witnesses— or a witness whose identity only he knows. Having found evidence of a conspiracy under every bed, or hospital stretcher, Lane and Weisberg seem impelled to find that Ruby, the bumbling, weeping, quick-tempered, talkative sa- loonkeeper, was also part of a cabal so ingenious that it left no trace but the bodies of its victims.

The Commission, after a thorough investigation of the crime itself, also investigated Ruby and found him an improbable conspirator. (Its investigation included not only tracing hundreds of Ruby's long-distance calls but calls made by people Ruby called.)

"Aside from the results of the Commission's investigation reported above," the Report said, "there are other reasons to doubt that Jack Ruby would have shot Oswald as he did if he had been involved in a conspiracy to carry out the assassination, or that he would have been delegated to perform the shooting of Oswald on behalf of others who were involved in the slaying of the President."

"By striking in the city jail, Ruby was certain to have been apprehended. An attempt to silence Oswald by having Ruby kill him would have presented exceptionally grave dangers to any other persons involved in the scheme. If the attempt had failed, Oswald might have been moved to disclose his confederates to the authorities. If it succeeded, as it did, the additional killing might itself have produced a trail to them. Moreover, Ruby was regarded by most persons who knew him as moody and unstable—hardly one to have encouraged the confidence of persons involved in a conspiracy."

No Credible Connection

The Warren Commission was unable to find any "direct or indirect relationship" between Oswald and Ruby, any credible evidence that they knew each other or any evidence that Ruby "acted with any other person" in killing Oswald. At the same time, it found no "evidence of conspiracy, subversion or disloyalty to the U.S. Government by any Federal, state or local officials."

One day after Jack Ruby died of complications arising from cancer in January—while he was still lying in Chi-

cago's Original Weinstein & Sons Funeral Home—the Soviet government newspaper Izvestia observed that Ruby's "suddenly discovered lethal illness" was suspicious. It cited "reports" that Ruby "suspected he had been infected with cancer through an in-

jection given in jail." He was removed from the Dallas County Jail to the hospital a month before his death.

Several French newspapers took a similar line. And in London, the Sun, an independent, pro-Labor Party paper, noted that Ruby died "when

many people were questioning whether he was one of a ring of conspirators behind the shooting" of President Kennedy. Without waiting for any word from Dallas County Medical Examiner Earl Rose, the official who had tried to bar the removal of Mr. Kennedy's

body from Parkland, half a dozen overseas publications decided that Ruby's death was "mysterious."

Americans probably chuckled at these stories after seeing Dr. Rose's autopsy report: Ruby died of a massive blood clot in his lungs; he had ad-

vanced cancer of the lungs and eight small previously undiscovered brain tumors. There was no sign of foul play.

By 1967, Dr. Charles Forester, Published by Grosset & Dunlap, Inc.
THURSDAY: The LBJ Take-
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Dean A. Andrews, suspended as assistant district attorney in Jefferson Parish, La., and involved in D. A. Jim Garrison's probe of an alleged Kennedy assassination plot, is to be arraigned on a perjury charge in New Orleans.

Dallas lawyer Jules F. Mayer, whom Jack Ruby named executor of his estate, said that neither Detroit lawyer Alan Adelson or Ruby's brother Earl, of Detroit, had any right to offer the revolver that Ruby used to kill Lee Harvey Oswald to the National Archives.

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*Assassination of
 President John F. Kennedy
 11/22/63, Dallas, Texas*

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Jack Ruby Estate Includes Pistol Used to Kill Oswald

DETROIT, March 20 (AP)—The late Jack Ruby's entire estate—exclusive of debts—consists of the pistol with which he shot Lee Harvey Oswald and four other personal items, the attorney for his estate said Monday.

The attorney, Alan Adelson, told a news conference he would do his best to follow Ruby's wish that the gun be placed in the national archives, but he said that the weapon's ultimate disposition would be up to the Dallas courts. It is now in custody of the Dallas prosecutor Henry Wade.

One offer of \$50,000 has already been made for the weapon, Mr. Adelson said.

The four other items of Ruby's estate—he was once worth \$250,000 through his night club holdings—consisted of a diamond watch, a diamond ring, a hat and a suit of clothes.

The Washington Post

Times Herald

The Washington Daily News

The Evening Star (Washington)

The Sunday Star (Washington)

Daily News (New York)

Sunday News (New York)

New York Post

The New York Times

World Journal Tribune

(New York)

The Sun (Baltimore)

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The New Leader

The Wall Street Journal

The National Observer

People's World

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UPI-76

(RUBY GUN)
 DETROIT--JACK RUBY'S HEIRS HAVE AGREED TO GIVE THE PISTOL WITH WHICH
 HE KILLED LEE HARVEY OSWALD TO THE NATIONAL ARCHIVES IN WASHINGTON,
 IT WAS ANNOUNCED TODAY.
 EARL RUBY, BROTHER OF JACK AND NEWLY-NAMED EXECUTOR OF THE WILL,
 SAID THE NATIONAL ARCHIVES ALSO WOULD BE OFFERED THE SUIT AND HAT RUBY
 WORE WHEN HE SHOT OSWALD.

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WASHINGTON CAPITAL NEWS SERVICE

(Mount Clipping in Space Below)

Earl Ruby Asks Oral Will Okay

An application to probate the Detroit, Mich., will of Jack Ruby was received Wednesday by the Dallas County Clerk's office.

Also received from Earl Ruby's attorney were a copy of the unsigned will, allegedly made by Ruby a day before his death in Dallas, and a petition to contest two other wills filed in a Dallas County probate court.

The application requests that Ruby's brother, Earl Ruby of Detroit, be appointed executor of the dead man's estate, which includes property valued at "\$300 more or less."

Earl Ruby has already been appointed executor of his brother's estate by a Detroit probate court.

A copy of the will received here contains a statement by Ruby denying any "association with any persons in connection

with the assassination of the late President John F. Kennedy."

It also asks that Ruby's property be distributed evenly among his brothers and sisters.

The application contends that Ruby planned to assume residence in Michigan if and when he was released from custody in Dallas County and that therefore the will should be executed in Michigan.

The application also claims that Ruby left the oral will on Jan. 2 — one day before his death at Parkland Hospital in Dallas — and that it was witnessed by three persons, Eileen Kaminsky of Chicago, Eva Grant of Dallas and Earl Ruby of Detroit.

Earl Ruby contends that the oral will was typed up and ready for Ruby to sign, but his brother slipped into a coma and died before witnesses could be secured.

(Indicate page, name of newspaper, city and state.)

27A

"The Dallas
Times Herald"
Dallas, Texas

Date: 3/1/67

Edition:

Author:

Editor: Felix R. McKnight

Title:

Character:

or

Classification:

Submitting Office:

☐ Being Investigated Dallas

61 MAR 21 1967

44-24016

'64 Florida Death Probed — For Link to Kennedy Case

PENSACOLA, Fla. (AP) — Authorities are investigating the death of a Florida man two years ago at the request of his brother who said he wanted a new probe because of the current investigation in New Orleans of the Kennedy assassination.

The brother, Earl Killam, said the dead man, Thomas Henry Killam, told him he fled Dallas in December 1963, because he was being harassed by "agents." Killam said his brother didn't specify whether the agents were federal, state or some other type. He said his brother told him two days before his death:

"I'm a dead man. I've run as far as I'm going to run."

Widow's Doubts

Wanda Killam, the dead man's wife, reached yesterday in Dallas by the Pensacola News-Journal, said her husband had been questioned several times about the assassination by federal agents. She doubted the suicide idea.

Killam died beside a broken shop window on a Pensacola street March 19, 1964. His throat had been slashed, apparently by glass from the window.

Police said the death was an apparent suicide. The coroner called it accidental.

Earl Killam, 33, a car salesman, has asked Escambia County Solicitor Carl Harper to exhume his brother's body to determine the exact cause of death.

Harper said he took a statement from Earl Killam yesterday morning and would investigate immediately. He would not discuss his investigation ex-

cept to say he was seeking concrete evidence, "not suspicions."

Harper said he planned to talk to New Orleans Dist. Atty. Jim Garrison, who is conducting an assassination probe.

Ruby, Oswald Links

Wanda Killam said her husband returned to Florida in early December, 1963, saying he was going to look for a job. She stayed in Dallas, where she had been employed for several years as hostess in a night club owned by Jack Ruby.

Ruby, who died of cancer while in custody, was charged with the slaying of Lee Harvey Oswald, accused of killing President John F. Kennedy in Dallas on Nov. 22, 1963.

Mrs. Killam said she, too, favored an investigation of her husband's death and said of the suicide ruling: "No, Hank wouldn't do that."

She said her husband was briefly employed in Dallas as a house painter by a man named Jack Carter. Earl Killam said Carter once roomed in the same Dallas boarding house as Oswald.

Killam said that after his brother returned to Florida he spent four months in Tampa and then returned to Pensacola March 15 to live with her mother.

Two days later, he was dead. Killam said: "Did you ever hear of a man committing suicide by jumping through a plate glass window?"

The Death

Thomas Killam received a phone call at his mother's home at 4 a.m. March 17, 1963, ac-

cording to his mother. She said he dressed and left the house. She heard a car pull away, although Killam did not own a car.

About a half hour later, two street sweepers heard a crash on a city street. Police said they turned their truck around and saw a man staggering in front of a broken display window.

Killam died before he could be hospitalized. The police report said that, based on the presence of blood four feet inside the show window, it was concluded "the expired jumped through the window and then crawled back to the sidewalk."

Coroner A. H. Northup said Killam died of a long, three-inch deep laceration over the lower left side of the neck. The coroner added: "Apparently sustained deep laceration in throat when he fell through plate glass window."

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The Sun (Baltimore) _____
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The National Observer _____
People's World _____
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51-107

62 MAR 8 1967

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Dead Man to Be Exhumed In Fla.; Linked to Ruby

PENSACOLA, Fla., Feb. 22 (AP) — The county solicitor was asked today to exhume the body of a man quoted as saying he was harassed by "agents" after the assassination of President Kennedy.

The man, Thomas Henry Killam, died March 17, 1964, from lacerations from a plate glass window in an incident on a downtown Pensacola street.

The Pensacola News-Journal said Killam was married to a stripper who worked for Jack Ruby in Dallas. The paper also said that Killam worked as a house painter with a man named Jack Carter, who had roomed in Dallas at one time with accused presidential assassin Lee Harvey Oswald.

Police listed the death as a probable suicide, but the coroner had called the death accidental, the newspaper said.

The coroner, Dr. A. H. Northup, said his records showed Killam suffered "a long, three-inch-deep laceration over the lower left side of the neck. Apparently sustained

deep laceration in throat when he fell through a plate glass window."

Solicitor Carl Harper said he took a statement from Killam's brother Earl this morning and would decide after an investigation whether to exhume the body.

Earl Killam, was quoted as saying his brother told him that "agents" and "plotters" visited him repeatedly after the assassination. Finally the brother left Texas and returned to Pensacola to live with his mother.

But he still complained of being constantly questioned by the "agents," whom he never identified specifically.

Two days before he was found dead he told Earl Killam: "I'm a dead man. I've run as far as I'm going to run."

Earl Killam is skeptical about any suicide verdict. "Did you ever hear of a man committing suicide by jumping through a plate glass window?" he asked.

The Washington Post _____
 Times Herald _____
 The Washington Daily News _____
 The Evening Star (Washington) _____
 The Sunday Star (Washington) _____
 Daily News (New York) _____
 Sunday News (New York) _____
 New York Post _____
 The New York Times _____
 World Journal Tribune _____
 (New York) _____
 The Sun (Baltimore) _____
 The Worker _____
 The New Leader _____
 The Wall Street Journal _____
 The National Observer _____
 People's World _____
 Date _____

REC-71

MAR 1 1967

Around the Nation

Speck Jury

PEORIA, Ill.—It will take about three weeks to select a jury to try Richard Speck in the murders of eight nurses, prosecutor John Glenville estimated. Judge Herbert C. Paschen said the first of 58 regular prospective jurors will be questioned when the trial opens Monday; then a special pool of 2500 prospective jurors will be called upon if necessary.

2d Ruby Will

DETROIT—Probate Judge Thomas C. Murphy said a second, unsigned will takes precedence over one handwritten in 1949 by Jack Ruby, killer of accused presidential assassin Lee Harvey Oswald.

Jack wanted to sign the will but couldn't because a deputy sheriff refused to witness it, Ruby's brother Earl

said. The family decided to wait until morning and have the doctor witness it, Earl Ruby said, but Jack Ruby went into a coma.

The will divides the estate equally among the brothers and sisters and contains a death-bed statement denying any conspiracy in the Kennedy assassination.



JACK RUBY

... second will valid

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The Washington Post _____
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 The Evening Star (Washington) _____
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 (New York) _____
 The Sun (Baltimore) _____
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 The New Leader _____
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 The National Observer _____
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 Date _____

59 FEB 1967

FEB 13 1967

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Supreme Court Formally Erases Ruby Case Test

The Supreme Court has formally erased from its docket a case testing whether Jack Ruby was fairly tried of murdering Lee Harvey Oswald.

Ruby was convicted in 1964 of murdering the assassin of President John F. Kennedy, and his appeal from that conviction had been awaiting high court action since last fall.

Ruby died on Jan. 3, in Dallas.

Before his death, Ruby already had gained the right to a new trial in Texas courts when the Texas Court of Criminal Appeals ruled that his trial had not been fair because comments he had made to police officers were used against him in the trial.

The Washington Post

Times Herald

The Washington Daily News

The Evening Star (Washington)

The Sunday Star (Washington)

Daily News (New York)

Sunday News (New York)

New York Post

The New York Times

World Journal Tribune

(New York)

The Sun (Baltimore)

The Worker

The New Leader

The Wall Street Journal

The National Observer

People's World

Date

FEB 16 1967

NOT RECORDED
191 FEB 20 1967

44-2416

F-186

(Mount Clipping in Space Below)

Ruby Estate Lawyer Considers Filing Suit

By JOHN TACKETT

An attorney representing the estate of Jack Ruby said in an interview here Friday he is considering filing a slander suit against Mark Lane, author of "Rush to Judgment."

Lane contended in his book that Ruby, Patrolman J. D. Tippitt, Bernard Weissman and an unnamed party met in Ruby's Carousel Club the night of Nov. 14, 1963, before President John F. Kennedy was assassinated in Dallas nine days later.

Alan S. Adelson, representing Ruby's estate, said Ruby did not host any such meeting and an accusation that he did was damaging to his reputation.

Adelson, a Detroit lawyer, said, "My chief job is to continue vindicating Jack Ruby's name. I will do that, possibly even to the extent of filing a suit."

He said Ruby shot Oswald "on impulse and without malice," and linking him with Weissman and Tippitt, hinting conspiracy, was damaging to the name of Jack Ruby.

Adelson, emphasizing the Warren Commission investigated the reported meeting and found it didn't happen, scoffed at Lane's remarks in an interview published in the February issue of Playboy magazine.

Lane said in the interview he could not name the man at the meeting identified as a prominent Dallas citizen, because he had promised the man he would not.

He said the man had become involved with a stripper and would be embarrassed to have his identity revealed.

(Indicate page, name of newspaper, city and state.)

2-A

"Ft. Worth
Star Telegram"
Ft. Worth,
Texas

Date: 2-4-67

Edition:

Author:

Editor: Jack L. Isittler

Title:

Character:

or

Classification:

Submitting Office:

[] Being Investigated Dallas

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1967 MAR 21 1967

62 MAR 23 1967

Adelson said he thought it "highly unlikely" that a prominent citizen and a law officer would meet openly in a strip joint.

"It is people like Mark Lane who are distorting the facts found by the Warren Commission," Adelson said.

Adelson came here with Eva Grant, Ruby's sister, to gather evidence to support his allegations against Lane.

The fact Ruby is now dead does not rule out the possibility of him being legally slandered, Adelson maintained. He said slander was possible since Lane's book was published before Ruby's death.

The attorney said Lane's theory that there was a meeting of Ruby, Tippitt and Weissman tended to make people believe Ruby was part of a conspiracy—which the Warren Commission said was untrue.

Tippitt was the Dallas policeman killed by Lee Harvey Oswald, who the commission said killed President Kennedy by himself and not as part of a conspiracy.

Weissman was the right-wing Dallas resident who placed a full page ad in the Dallas Morning News Nov. 22 accusing Kennedy of treason.

Adelson said he is not contending Ruby's reputation was not harmed by his killing of Oswald in the basement of the Dallas police station.

Ruby Secretly Tapes How He Shot Oswald

By Art Berman
Los Angeles Times

LOS ANGELES, Jan. 2—Jack Ruby, in his dying days, reportedly has broken through Dallas police security again, this time to secretly tape record a denial of any conspiracy in the slaying of Lee Harvey Oswald.

The Los Angeles Times has received information that the recording, purportedly the only one ever made of Ruby's own story, was arranged by Capitol Records. The Hollywood record firm is expected to announce Tuesday in New York:

• The recording, in which Ruby implies the slaying occurred during an emotion-triggered blackout, was made within the last few weeks at Parkland Hospital, Dallas, where Ruby is dying of cancer.

• An unwitting Dallas policeman was in the hospital

room and two were outside the door when the recording was made.

• The tape recorder was hidden in an attache case.

• The policeman did not know what was happening because Ruby's brother, Earl, told Ruby in Yiddish:

"Jack, in the briefcase, the tape recorder is hidden here."

Ruby, speaking haltingly in English, gave a lucid account of the events of Nov. 24, 1963.

See RUBY, A3, Col. 1

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NOT RECORDED
199 JAN 5 1967

The Washington Post and Times Herald ✓
The Washington Daily News _____
The Washington Evening Star _____
New York Daily News _____
New York Herald Tribune _____
New York Post _____
The New York Times _____
New York World Journal _____
New York World _____
Journal Tribune _____
The Baltimore Sun _____
The Worker _____
The New Leader _____
The Wall Street Journal _____
The National Observer _____
People's World _____
Date 1/3/67

62 FEB 6 1967

BY—From Page A1

Ruby Tapes Story of Oswald Slaying

—two days after Oswald killed President John F. Kennedy. Then, as millions of television viewers watched Oswald being transferred to the county jail,

Ruby stepped forward and fatally shot him.

Coincidence, He Says

Ruby insisted in the recorded interview that it was purely a coincidence, partly caused by his making an illegal turn into a parking lot, that brought him to the City Hall at the instant Oswald was being transferred.

"... The difference in meeting this fate was 30 seconds one way or the other," Ruby lamented.

"All I did is walk down there, down to the bottom of the ramp and that's when the incident happened—at the bottom of the ramp," Ruby said in the recorded interview.

"... It happened in such a blur that... before I knew it I was down on the ground. The officers had me on the ground."

Someone in the hospital room can be heard asking, "did you realize you had done anything?"

"Well," Ruby replied, "really it happened so fast and everything else I can't recall what happened from the time I came to the bottom of the ramp until the police officers had me on the ground."

Question: "Did you ever know Oswald before?"

Ruby: "Never have known him or seen him before."

Question: "Did you ever planned (SIC) anything like this?"

Ruby: "I was so emotionally upset for three days."

Question: "Is there any truth at all to the stories that Oswald had been in your club?"

Ruby: "None whatsoever. It's a fabrication."

Question: "Did you know when Oswald was going to be moved, Jack?"

Ruby: "He was supposed to be moved at 10 o'clock."

To Be Released Soon

(It was widely known in Dallas that Oswald was supposed to have been moved at 10 a.m., but the actual trans-

fer—and shooting—did not occur until 11:20 a.m.)

The 3-minute, 55-second interview with Ruby will be on a Capitol record titled "The Controversy, the Death, the Warren Report," which is scheduled for release Jan. 6. The interview is copyright 1967 by Alskog, Inc., which produced the documentary record.

The recording was made after those close to Ruby reportedly became convinced that his critical illness and hospitalization have brought him an unexpected period of lucidity.

Ruby reportedly has said that he never slept well during three years under constant guard in a lighted, windowless cell. During that period, he often was described as mentally confused.

Now, despite constant pain, Ruby supposedly has been able to sleep better and has clarified his thoughts. He reportedly has attributed this to the hospital room's windows, which enable him to tell night from day.

The Washington Post and Times Herald _____
The Washington Daily News _____
The Washington Evening Star _____
New York Daily News _____
New York Herald Tribune _____
New York Post _____
The New York Times _____
New York World Journal _____
New York World _____
Journal Tribune _____
The Baltimore Sun _____
The Worker _____
The New Leader _____
The Wall Street Journal _____
The National Observer _____
People's World _____
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 Tele. Room ☒
 Holmes ☒
 Gandy ☒

Ruby's State Wiped Clean By Judge

WICHITA, FALLS, Tex.,
 Jan. 30 (AP)—A district judge
 today dismissed murder
 charges against Jack Ruby in
 the death of Lee Harvey Os-
 wald and expressed regret
 that Ruby did not live to have
 "a legal trial in Wichita Coun-
 ty."

Ruby died of cancer in Dal-
 las Jan. 3, nearly three
 months after his original con-
 viction and death sentence for
 shooting Oswald had been
 overturned. A new trial was
 ordered held in this north
 Texas city.

Oswald was named by the
 Warren Commission as the as-
 sassin of President Kennedy
 Nov. 22, 1963. Ruby gunned
 down Oswald two days later
 in the basement of the Dallas
 city jail. Ruby's second trial
 had been tentatively sched-
 uled to begin in February.

The Washington Post Times Herald **A17**
 The Washington Daily News
 The Evening Star (Washington)
 The Sunday Star (Washington)
 Daily News (New York)
 Sunday News (New York)
 New York Post
 The New York Times
 World Journal Tribune
 (New York)
 The Sun (Baltimore)
 The Worker
 The New Leader
 The Wall Street Journal
 The National Observer
 People's World

NOT RECORDED
 199 FEB 1 1967

Date JAN 31 1967

57 FEB 3 1967

44 2001

(Mount Clipping in Space Below)

A Bouncer at History's Door

★ Was Ruby a Conspirator,
Insane, or Reflex-Slayer? ★

He had a clumsy and smothering, and unrequited, love for the show-business milieu.

He relished the tawdry album spotlights and the granite girlies and the cardboard customers, the bums, the gaudy curtains, the strident bands, the way the customers would fill a room with plumes of sulphur smoke and then try to peer through it at the strippers.

He stayed in the show-business idiom until the end; Jack Ruby was the bouncer at history's door. Whether as conspirator, as psychomotor epileptic or as avenging vigilante, Jack Ruby silenced the man who, guilty or innocent, was the starting point in the quest for a President's assassin.

WAS HE A CONSPIRATOR?
If so, he was history's biggest patsy.

Was he insane? If so, then his legacy to the world has been to add more weight to the burden of frustrations and irrationality.

Was he reflex-murderer, blasting Lee Harvey Oswald on some automaton impulse?

Or was he a deluded messenger of retribution, a tormented, self-commissioned envoy of jus-

tice who could shoot a man-ated man and then tell police he did it " . . . to let the world know that Jews do have guts."

There are those who knew Jack Ruby before Nov. 24, 1963, who think he would be capable of doing anything for publicity. They said so on Nov. 25, 1963. What Jack did, for whatever reason, has added a new dimension to the realm of publicity. He became a quantum celebrity. He has had his name in more papers more times than Frank Sinatra and Dr. Jonas Salk and Albert Einstein. He has had more lawyers than Dreyfus, Sacco, Vanzetti and Herman Goering.

JACK RUBY was a noted killer. He and cancer.

While he spent three years in a spurious, monastic solitary confinement as the sole prisoner in Dallas County Jail section 6M, the remnants of his former life went on without him. He was fond of his two dogs, the dachshunds named Clipper and Sheba. Clipper now belongs to the children of a television newsman. Sheba was given to an ex-stripper at the Carousel Club.

The Carousel Club, in an irony commensurate with the other grotesque benchmarks in the Jack Ruby case, is now a gym operated by the Dallas Police Athletic Association.

His roommate George Sen-

ator left Dallas a year ago. "He went off with some rug peddler," says a friend of Senator's, "and no one has heard from him since."

AS THE WORLD learned more about Jack Ruby, the less it knew. The Warren Commission, with its corps of investigators and its carte blanche expense account, put Jack Ruby under a microscope and produced a voluminous picture of him, out of focus. The Warren Report could list Jack Ruby's gross income and net profit for the year 1962, but it could not obtain his birthdate. It listed six. Ruby himself gave various ages in the course of filing various legal documents. The discrepancies are typical of the enigmatic fabric of Jack Ruby, who was born not Jack Ruby, but Jack Rubinstein.

He was mercurial and inconsistent in his sometimes affable, sometimes volatile temperament as well. Once, having renegeed on a fee to show producer Joe Peterson, Ruby punched Peterson and knocked out a tooth. Within a few days they were friends again.

In his early weeks in jail, he complained to a lawyer because his friend and roommate George Senator had not been to see him. He said he would like to have a visit from him. On the next day, a visit was arranged.

(Indicate page, name of paper, city and state.)

"The Dallas
Times Herald"
Dallas, Texas

TOP CLIPPING

FILED

FILE AND INITIALS

Date:

Edition:

Author:

Editor: Felix R. McKnight

Title:

Character:

or

Classification:

Submitting Office:

☐ Being Investigated Dallas

NOT RECORDED

196 JAN 25 1967

61 FEB 3 1967

When Senator walked in to see Ruby, the prisoner's reaction was explosive: "You s.o.b., you're wearing my best suit! I was gonna wear that suit at my trial!"

"That suit," recalls a Dallas lawyer, "got worn to Ruby's trial, all right, but Senator was the one who wore it."

WHILE RUBY sat in jail and brooded over things like who was wearing his suits, Melvin Belli came to Dallas with an elegant wardrobe, a velvet-covered briefcase and a cavalier repertoire of legal devices. The trial was about to begin, and while Melvin Belli cut a sprightly swath through Dallas circles, dropping hints about how insane Jack Ruby was, a lot of other people went a little bit insane.

The world press was here, representing everything from *Blick*, a Swiss magazine, to the *Brisbane Sunday Truth*. Some of the reporters didn't care where they found fresh angles. If a bartender mentioned to one that he had heard Jack Ruby and Lee Harvey Oswald were roommates at Princeton, the story got printed somewhere. On the day testimony in the trial was ending, the reporters, foreign and domestic, got up what came to be known as a ghoul-pool, each contributing a dollar, the point being to guess correctly what sentence the jury would assess, winner take all. There were 82 entries and 17 ties for the pot with "death."

THE TRIAL OVER, Belli, who

had let his improbability-tape by showing up in court on verdict day in a black golf shirt, buttoned at the collar, petulantly stalked off to Mexico. The floodgates opened then for an almost Byzantine procession of lawyers.

The Jack Ruby Bar Association at one time or another included these men, who at one time or another were locked in combat with prosecutors, appeals barriers, time limits and each other:

Tom Howard. C. A. Dreby. Jim Martin. Phil Burleson. Melvin M. Belli. Joe Tonahill. Sam Brody. Vasilios Choulas. Percy Foreman. Dr. Hubert Winston Smith. Clayton Fowler. Emmett Colvin. Charles Bellows. Sol Dann. Elmer Gertz. William Kunstler. Sam Houston Clinton. Stanley Kaufman.

FOR THREE YEARS Jack Ruby withered in jail, the prisoner in the tower like some arcane Count of Monte Cristo, coming to the window of the world periodically for appeals hearings, sanity hearings, injunction hearings against book-writing Judge Joe B. Brown.

Between the rare public appearances he languished in his cell, seething with torment and delusions and, eventually, gnawed by the vanguard of the cancer that would kill the rest of him.

Jack Ruby, the ex-loudmouth, was mute during his trial. His first public utterance seems to have been in the courthouse corridor when he stopped his phalanx of guards, and spoke into KRLD-TV newsman Wes Wise's microphone.

"How do you feel, Jack?" asked Wise.

"I feel okay," said Jack Ruby, in a measured, rational tone. He went on to make a statement while his lawyers shuddered and tried to silence him. The tone of voice remained rational at first, then became shrill and a little giddy as Ruby said he hoped everyone realized he was the victim of a conspiracy. He said the scope of the conspiracy staggered the imagination. He said the American people would be shocked if they ever learned what was going on.

Frequently, remembers one of his lawyers, Jack Ruby would scribble a succession of phone numbers on slips of paper and hand them to the occasional visitors he had in his cell. "Call these numbers," he pleaded. "These people have been murdered. They're all out to get the Jews. They won't answer these numbers because they're dead."

The phone numbers, several times, were those of his sister, Eva Grant, and his brother Earl Ruby.

In the late spring of 1966, attorney Jim Martin visited the sixth floor to confer with a client. Jack Ruby spotted him and hissed, "Jim—come here a minute." Ruby wanted to know how his dachshund, Clipper, was doing.

After his conference with his client, Martin was waiting at the corridor door when Ruby again called him over.

"It was good to see you, Jim," said Ruby, thrusting his hand through the bars to shake hands with the lawyer. During the handshake, Ruby slipped Martin four small slips of memo paper, covered on both sides with handwriting in soft, barely legible soft-lead pencil. Martin had the impression that Ruby had written it while Martin had been conferring with his client.

Martin pocketed the message and stopped at a nearby restaurant to read it.

The message written in a neat, delicate and slightly feminine handwriting, and obviously coming from a warped mind in its last incoherent and flagging stages, read: "Jim,

"YOU MAY THINK I am out of my mind but I want you take (sic) it for what it's worth. This country has been overthrown, by the Nazi's. Johnson is a Nazi, the worst kind, that is why they won't let anyone come talk to me. They know that I know too much and don't want me to talk to anyone."

"Jim, see if I am right. They are doing away (sic) all the Jews. Don't ignore what I am saying, but if you wait a few days and I prove that I am right in what I'm telling you, then I'm no doubt right in everything else. Jim believe me I'm not crazy, that is what they want everyone to believe, so that that (sic) when I talk to anyone they will just ignore me."

"Johnson appointed these Jews to high office, to show he is not prejudiced, and so people will not suspect him for what he really is. Later one (sic), everything I'm telling you here will out the truth."

"ALL OF THE democracies are in great danger, because they don't know who is behind the American government at this time."

"Jim, your Ireland and England should be warned of what is happening in the country, in that way they can protect themselves."

"Jim you must believe me, but just don't say a word and keep your eyes open. Take this for what it's worth and keep it

to yourself. Wade, Alexander, ~~Wade~~ ~~Some~~ Judge Brown, Phil Burleson, Joe Tonnahill are all Nazi's. Jim these other countries must be warned as to what is happening. You must find a way to get to England, France, Switzerland, Israel and all democratic countries and warn them. Your enemy countries are all the old Axis countries of World War II. Japan, East & West Germany, Egypt and all of South America.

"Jim you have always known as to what makes me tick, and you know how ridiculous it would be to brand me out a Communist.

"This is what they have framed up on me, that I was in on the conspiracy to assassinate the President.

"Jim if find (sic) out what I say is true, that they are doing away with the Jews. Then I am right about a lot of things. This is what I've got to say and take it for what it's worth. Russia must be told immediately (sic) who the real enemy is, and in that way they can answer Johnson if Johnson provokes a war, that they will not bomb the U.S. only those former Axis countries I mentioned, and in that way Johnson will back off, because he doesn't want anything to happen to his master race.

"Believe me Jim, I know what I'm talking about.

"Of both evils either the Nazi's or Russians you are better off with the Russians at least the Russians will let you live.

"THAT IS THE reason why I jumped all over Mike (the next word is illegible but appears to be "Howard.") "because they think he might be telling him about us (or it).

Something must be done immediately, these people (the next two or three words are illegible) "Of course you warn Israel too because she is in the

middle she thinks she is an ally of the U.S. but how wrong can she be, and don't turn to Russia."

The letter, or tract, is interesting on several points, especially in his indignant reference to his complicity in any Communist conspiracy, and in his tendency to flit from one obsession to another in the writing. The letter generally was meticulous in its script and, surprisingly, in its proper spelling with the exception of the word "immediately" in one instance. It was spelled correctly another time. Ruby had access to a dictionary.

The Times Herald submitted one page of the four to a handwriting analyst. The analyst's examination was cursory and entirely informal. The analyst was not told the identity of the writer, but only that the writer was male. In the study of the characteristics of the handwriting, the analyst noted these salient qualities:

"The subject writes in a more feminine than masculine hand.

"The subject shows a tendency toward clannishness.

"THE MANNER in which the subject forms his t's shows determination, accompanied with a concentration of thought.

"The subject appears to be bothered by some sort of sex problem, possibly one of having abstained from sexual experiences.

"The hand shows certain desires along idealistic avenues, but he cannot seem to follow through.

"The subject's capital I shows he has a severe problem where he himself is concerned; it could be a persecution complex."

"THE SUBJECT is capable of terrible temper.

"The subject appears to be very tenacious, though susceptible to a muddledness.

"The subject shows a slight athletic propensity.

"The subject is extremely direct."

Incredibly, the analyst in 10 minutes discovered as much about Jack Ruby as the Warren Commission's report set forth after months of research.

He was so many other things, and the world watched his three-year transition from a brash, strutting buffoon who carried boxes of pastrami sandwiches to the police station on assassination night.

What the burly brawler, the dachshund lover with the cocker-spaniel eyes, became was a pallid and wasted and very famous haunted, dying man. To his conspirators, if any, he would be a slob who held the bag and died with it; a nebbish, as he himself would have put it in the Yiddish patois.

Eaten from within by cancer and battered from without by the world which perhaps could hold compassion for what happened to him, but could never forgive him for what he did and what he took from it: Jack Ruby.

(Mount Clipping in Space Below)

RALPH MCGILL

FBI Probe Part of Proof Jack Ruby Acted Alone

ATLANTA, Ga. — Jack Ruby has died of cancer in Dallas, Tex. He died slowly, unlike Lee Harvey Oswald, whom he shot as television-bewitched Dallas police led Oswald down a corridor on a routine prison transfer. He died in the same hospital where invisible but tangible death came for John F. Kennedy and for the murdered Oswald.

Finis now is written to the physical participants.

But "they" will not let it be that way.

Jack Ruby was, by his record, a small-time underworld tough out of Chicago. He ran a striptease bar-joint in Dallas. It was, by accounts, the same type as those found in Chicago (and increasingly in other cities) — where lonely, moody men sit at the bar and watch much-handled, bored dames, who smell too strongly of heavy cologne and sweat, "take 'em off."

Not even the pick-lock psychologists have ever figured out what sort of mind it is in the combination that brings surcease to their loneliness or erotic fancies, warmed by beer or booze. But, anyhow, it was that kind of joint.

Jack Ruby was, by the record, friendly with cops. They could drop in his place to get warm or for a drink or a nibble at the bowls of peanuts and other salty items aimed at increasing thirst and the sale of beer. Jack Ruby, by the record, had no friends. He liked to hang around police headquarters. He knew the boys. They knew him. Jack Ruby was like the characters in every town that drift in and out of police stations.

Millions watched Jack Ruby when he shot Lee Oswald, who had assassinated President Kennedy in a merciless, calculated, mad-dog act. The policemen who had Oswald by the arm were staring straight down the corridor toward the red little eye of the TV set that was making history of their act. So was Oswald. The film shows they never saw Ruby — he just drifted in — until he fired.

The first Oswald knew of Ruby and death was when he felt — simultaneously — the prod of the revolver's metal nose,

the hot, searing blast of fire and the tearing passage of the slugs that let him feel, for a time, something of the quick, flashing agony that Jack Kennedy knew when the slugs from the assassin's rifle tore through his throat. There was nothing in Ruby's Chicago or Dallas record as a second-echelon, small-time hoodlum that figured conspiracy.

There are no better investigators in the world than those of the Federal Bureau of Investigation. They and their laboratories, which also are superior to any crime labs in the business, say Oswald was alone.

But there are those who insist on conspiracy and another murderer. That there was some carelessness in security, a product of the welcome given the President, is sure. The shooting was total surprise, producing conflicting reactions. But there is no evidence of any killer but Oswald.

Books were written "proving" that Wilkes Booth was not the man killed in Richard Garrett's barn after the assassination of Lincoln. Brave Gen. Ney, who led the last charge for Napoleon at Waterloo, was shot by loyalist troops. But books were written to prove he wasn't and that he died as a North Carolina school teacher. Hitler isn't dead, some cranks say. He is living in South America.

There isn't time to go on. A flying saucer landed in my yard last night and the little men with whom I talked, smelling strongly of sulphur, said they would be back tonight. I can't be late.

(Indicate page, name of newspaper, city and state.)

Page B-2

EVENING TRIBUNE
San Diego
California

Date: 1/10/67

Edition: Final Edition

Author: Ralph McGill

Editor: Eugene F. Williams

Title:

Character:

or

Classification:

Submitting Office: San Diego

☐ Being Investigated

44-24016-10
NOT RECORDED
184 JAN 23 1967

53 JAN 21 1967

44-24016

Tolson ☒
 DeLoach ☒
 Mohr ☒
 Wick ☒
 Casper _____
 Callahan _____
 Conrad ☒
 Felt _____
 Gale _____
 Rosen _____
 Sullivan ☒
 Tavel _____
 Trotter _____
 Tele. Room _____
 Holmes _____
 Gandy _____

Note Attributed to Ruby Laid Plot to Johnson

ST. PAUL, Minn. (AP) — the assassin of Kennedy in November 1963. In the somewhat rambling and obscene letter, Ruby said Johnson "found me as the perfect setup for a frame. Remember they had the President killed, and now with me in the picture, they'll make it look as though Cuban Premier Fidel Castro or the Russians had it done. Anyone in their right mind would know that the Russians or Castro would never do something like that. . . ."

"Remember the only one who had all to gain was Johnson himself," Ruby wrote. "Figure that out."

The St. Paul Dispatch said yesterday the letter was recently acquired by one of its columnists, Bill Diehl, who purchased it from Charles Hamilton Autographs, Inc., New York. Diehl, who declined to say what the purchase price was, said the letter is guaranteed as to authenticity and is insured for more than \$1,000.

Written early last year, it reportedly was one of five or six penned by Ruby to a jail trusty, Thomas E. Miller, now living in Dallas.

Ruby, who died of cancer Jan. 3 in Dallas, was the slayer of Lee Harvey Oswald, identified by the Warren Commission as

the assassin of Kennedy in November 1963.

In the somewhat rambling and obscene letter, Ruby said Johnson "found me as the perfect setup for a frame. Remember they had the President killed, and now with me in the picture, they'll make it look as though Cuban Premier Fidel Castro or the Russians had it done. Anyone in their right mind would know that the Russians or Castro would never do something like that. . . ."

"It would only create worse hostilities. . . . Remember the only one who had all to gain was Johnson himself. Figure that out."

Ruby said Oswald had information far in advance that Kennedy was going to Dallas for a visit, adding: Where did Oswald get the information that far in advance about the future trip that Kennedy himself didn't know he was going to make. . . . All that was planned by Johnson."

Dallas newspapers publicized Kennedy's motorcade route in advance of his arrival.

The Washington Post _____
 Times Herald _____
 The Washington Daily News _____
 The Evening Star (Washington) _____
 The Sunday Star (Washington) _____
 Daily News (New York) _____
 Sunday News (New York) _____
 New York Post _____
 The New York Times _____
 World Journal Tribune (New York) _____
 The Sun (Baltimore) _____
 The Worker _____
 The New Leader _____
 The Wall Street Journal _____
 The National Observer _____
 People's World _____

Date _____

JAN 11 1967

01 JAN 21 1967

114-24016

Death Takes the Last Actor in the Dallas Drama

Jack Ruby was a tragic, plain little man who yearned for class, who tried hard to be liked. He was quick-tempered and emotional, and these qualities gave him — if not class — at least notoriety, an assured place in history.

His death Tuesday of a massive blood clot, probably induced by the lymphatic cancer which was spreading rapidly through his body, had a touch of the irony which had brought him this notoriety in the basement of the Dallas police station a little more than three years earlier, and which had followed him through court, jail and hospital.

Just hours before his death at Parkland Memorial Hospital in Dallas, Columbia Records scheduled a press conference in New York.

By the time that conference came off a few hours later, Ruby was dead. But his voice lived, on a secret tape recording made days before, as he lay on his deathbed in the same building where President Kennedy and his assassin, Lee Harvey Oswald, had died. The recording had been made with a machine hidden in an attache case as one unwitting policeman listened and two more guarded his door. Ruby, dying, had once more slipped past police security, just as he had on Nov. 24, 1963, when he had gunned down Oswald before the eyes of the Dallas police force and millions of horrified television viewers.

Ruby's words were heard denying any complicity between himself and Oswald, an equally tragic little man

who came from obscurity to history with a well-placed bullet — days before he met his own death. This message had become an obsession with Ruby. He wanted desperately to quiet the mounting controversy spurred by a recent spate of books questioning the Warren Commission's findings regarding Kennedy's death.

He insisted it was an accident of timing, a wrong turn onto a one-way street, and blinding passion which led him to the police station basement, where Oswald was being transferred from one jail to another. He was running an errand, he explained, took a short cut down a one-way street into a parking lot, and was drawn to the station by the crowds. He was known to, and liked by, police, whom he often informed of happenings in the night club business, and had no trouble getting past police lines.

Carried Gun to Protect Cash Bundle

He had a gun, he said, because he often carried large sums of money. He also was his own bouncer in the Carousel Club, his walk-up Dallas strip joint.

An emotional man who was extremely disturbed by Kennedy's death, Ruby insisted he acted on impulse as he shoved the gun into Oswald's ribs and fired the fatal shot.

Throughout his trial, at which he was found guilty of murder with malice and sentenced to death, Ruby's attorneys echoed his insistent statements that he acted alone, and on impulse.

"All that talk about a plot is nothing but junk," argued Melvin Belli, one lawyer who defended him. "There wasn't any plot. He was insane, that's all." And, quipped Belli in Paris last week: "Some people would think there was a conspiracy if LBJ bought a turkey." Denied by cancer another chance to tell his story, a planned February retrial ordered by the Texas Court of Criminal Appeals — died in black despair that his story was not believed. Medically, he died of a blood clot. But his faithful sister and busi-



Ruby as he heard his death sentence pronounced in 1964.

Tolson _____
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Mohr _____
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Tele. Room _____
Holmes _____
Gandy _____

7-11-64

The Washington Post and Times Herald _____
The Washington Daily News _____
The Washington Evening Star _____
New York Daily News _____
New York Post _____
The New York Times _____
New York World Journal Tribune _____
The Baltimore Sun _____
The Worker _____
The New Leader _____
The Wall Street Journal _____
The National Observer _____
People's World _____

Date _____

JAN 8 1967

53 JAN 1 1967

ness partner, Mrs. Eva Grant, insisted it was anxiety that took her brother's life.

That his death would fan the flames of controversy even higher seemed most probable.

"Though we are satisfied that Ruby's role was limited and adequately explained, his death will inevitably leave greater latitude for voices of doubt," said the Pittsburgh Post-Gazette. The Los Angeles Times admitted that Ruby's death "will probably refuel the fires of rumor," though the Times saw "no shred of substantive evidence to contradict [his] statement."

Joseph A. Ball, senior counsel for the Warren Commission, insisted Ruby's death offered no reason to reopen an investigation, though he admitted there would be increased demands for another inquiry.

As for Belli, and for Ruby's family, his passing was merely another blot on the image of Dallas. Belli called it "the ultimate shame of the city," and insisted: "I can't understand why nobody realized that this man, kept under constant surveillance after a suicide attempt, was dying. Dallas flatters itself [that] it has the best medical care in the world . . . while I'm not saying there's anything sinister about what's happened, it's just a case of damned carelessness."

Ruby's Cancer Noted Month Ago

Ruby, argued his jailors, got better medical care than most prisoners—though perhaps not as fine as that offered by a private physician. He died just a month after his cancer was discovered during treatment for what was diagnosed as pneumonia.

On Friday, in simple, private Jewish services, Jack Ruby, who died tormented at 55—and looking nearer 80—was buried in Chicago's Westlawn Cemetery, his murder conviction stricken from the books. Some will always doubt his statements. And they will continue to ask questions—the same questions, word for word, that were asked for years after the assassination of Abraham Lincoln.

THE WORLD!



At mortuary arranging for Jack Ruby's burial are one of his brothers and three sisters, from left: Mrs. Eva Grant, Dallas; Sam Ruby, Mrs. Ann Volpert and Mrs. Eileen Kaminsky.



Drs. Eugene Frenkel (left) and Earl Rose describe Ruby's final hours and fatal illness at conference in Dallas.

INEZ ROBB

Murder, Yes--But Premeditated, No

NOT CONSPIRACY but the long arm of coincidence put Jack Ruby in the right place at the right time to gun down Lee Harvey Oswald, accused assassin of President John F. Kennedy.

For me this conclusion was inevitable as I sat through the long weeks of Ruby's trial in Dallas in the later winter and early spring of 1964.

The evidence—both for the prosecution and defense—revealed Ruby as highly neurotic, unstable and irascible—a man with a hair-trigger temper and little control of it.

On the evidence Ruby would have been rejected out of hand by any master conspirator seeking resolute, nerveless men for the assassination of a head of state.

★ ★ ★
COINCIDENCE was king on that Sunday when Ruby shot and killed Oswald in the basement of the Dallas police station in view of a television audience numbering millions.

The nagging IFs in the case begin on that fatal Sunday.

If Ruby had not been routed out of bed, in his Dallas apartment, by a 10 a.m. telephone call from Fort Worth, he might still be an obscure night-club operator.

But Ruby was awakened at 10 a.m. by a phone call from Fort Worth. The call was from Little Lynn, a strip teaser in Ruby's club. She was broke and asked for money, at once, to pay her rent. Ruby told her he would telegraph the sum to her as soon as he had dressed and breakfasted.

IF the Dallas police had transferred Oswald at 10 a.m., as planned and publicly announced, from the city to the county jail, he would not have been a target for Ruby one hour and 20 minutes later.

★ ★ ★
BUT OSWALD was still in the city jail when Ruby arrived at the Western Union office in downtown Dallas, an office approximately 420 feet from City Hall.

At 11:17 a.m. the Western Union employee who accepted the money and telegram from Ruby automatically stamped the time on the receipt he handed Ruby.

At 11:20 a.m. Oswald had been fatally wounded by Ruby. In that three minutes Ruby walked from Western Union to City Hall, where he was familiar as a police buff. Ruby walked down the ramp leading to police headquarters and arrived at precisely the moment that the dawdling police brought Oswald forth for the transfer.

Unless Ruby was subject to extra-sensory perception, he could not possibly have known that the police had delayed the transfer of Oswald or that he would arrive at precisely the moment when Oswald would be the fatal target of opportunity.

Call that confrontation of the two men chance or call it coincidence, but not conspiracy. Not a shred of evidence to the contrary emerged from the trial or has surfaced since.

THROUGHOUT THE TRIAL it seemed to this reporter that the time sequence, firmly established, between Ruby's appearance at Western Union and his appearance at Dallas police headquarters was incontrovertible evidence that he had not committed "murder with malice."

It was "murder with malice," or premeditated murder, of which Ruby was convicted. Murder, surely. But premeditated, no.

I came away from the trial convinced that the IFs, the coincidences of time, people, places and opportunity on that Sunday morning, were both Ruby's undoing and his most powerful defense against the charge of "murder with malice," and equally convinced that the defense had thrown it away.

Ruby was a murderer. Millions of his fellow citizens saw him in the act. He killed a man. But not, I believe, a fellow conspirator.

Tolson _____
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Trotter _____
Tele. Room _____
Holmes _____
Gandy _____

The Washington Post and Times Herald _____
The Washington Daily News _____
The Washington Evening Star _____
New York Daily News _____
New York Post _____
The New York Times _____
New York World _____
Journal Tribune _____
The Baltimore Sun _____
The Worker _____
The New Leader _____
The Wall Street Journal _____
The National Observer _____
People's World _____
Date _____

NOT RECORDED
199 JAN 12 1967

(Mount Clipping in Space Below)

Mr. Tolson	_____
Mr. DeLoach	_____
Mr. Mohr	_____
Mr. Wick	_____
Mr. Casper	_____
Mr. Callahan	_____
Mr. Conrad	_____
Mr. Felt	_____
Mr. Gale	_____
Mr. Rosen	_____
Mr. Sullivan	_____
Mr. Tavel	_____
Mr. Trotter	_____
Tele. Room	_____
Miss Holmes	_____
Miss Gandy	_____

Guard Asked to Witness Ruby Will Before Death

(By JOHN GEDDIE)

Jack Ruby's brother and sister asked a jail guard to witness the will of the cancer victim the day before he died, The Dallas News learned Friday.

A deputy sheriff assigned to guard Ruby confirmed that he was asked by Earl Ruby and Mrs. Eileen Kaminsky to witness Ruby's signature.

Deputy T. L. Edwards said he refused to witness the will.

It was unknown if Ruby signed a will after Edwards completed his shift at 10 p.m. Jan. 2. Ruby died the next morning.

There was also a report that a doctor was requested to witness the will.

Edwards said that Earl Ruby and Mrs. Kaminsky came to visit the weakened Ruby in the early afternoon. After a visit, they walked to the corridor and then turned around and returned to the room.

"Earl said they ought to get it done that day," Edwards said.

The brother told Edwards that there would be no lawyer present, he said, and declined to reveal who drew up the document.

Edwards relayed the information to Sheriff Bill Decker, who advised him not to witness the signature.

"He (Earl Ruby) said he would get a doctor to witness it," Edwards said.

On Dec. 17, a week after Ruby entered Parkland Hospital, a hospital admitting clerk notarized eight copies of legal papers. Attorneys Phil Burleson and Elmer Gertz, Earl Ruby and several other witnesses reportedly were present at that time.

The hospital notary public said the papers authorized powers of attorney.

(Indicate page, name of newspaper, city and state.)

8A

The Dallas
Morning News
Dallas, Texas

Date: 1/7/67
Edition:
Author:
Editor: Jack B. Kugler
Title:

Character:
or
Classification:
Submitting Office: Dallas
☐ Being Investigated

55 JAN 23 1967

NOT RECORDED
191 JAN 20 1967

(Mount Clipping in Space Below)

Ruby Burial Ends Chapter in History

CHICAGO, Ill. (UPI) — Jack Ruby, the smalltime Dallas saloon keeper who blasted a niche in history with an act of violence that shocked the world, was buried Friday in a snow-blanketed cemetery beside the graves of his immigrant parents.

The lonely, confused man who killed presidential assassin Lee Harvey Oswald was mourned at the end as a "misguided kind of patriot" who loved President John F. Kennedy and in the role of an avenger tried to "acquire his world in one moment."

The funeral chapel services and the last rites in peaceful Westlawn Cemetery were in stark contrast to the tumult that raged in the basement of the Dallas jail when Ruby killed Oswald on Nov. 24, 1963, before the eyes of 40 million shocked television viewers.

Only 75 mourners stood inside the green canvas tent Friday in Chicago as Rabbi David Graubart intoned in Hebrew the words that committed the body to the earth. Newspaper reporters, photographers and an estimated 250 curious onlookers were kept at a distance—most of them outside a 6-foot-high fence.

There were no incidents—only loud outbursts of weeping as his family bade farewell to the child

of Chicago's Jewish ghetto whose wanderings brought him to a crossroads in history and death Tuesday in Dallas' Parkland Hospital.

An American flag — an honor accorded because of Ruby's World War II service in the Army Air Corps — draped his casket at the Original Weinstein and Sons Funeral Home as Rabbi Graubart sought to explain the slaying of Oswald.

"There are men who acquire their world in one moment," he said. "There are men also who destroy their world in one moment. Jack Ruby probably thought his was a heroic act and that he would acquire his world in a moment."

The rabbi said Ruby was "not an evil man."

"He loved the martyred president," Rabbi Graubart said, "yet he made it his own task to avenge his death — and who knoweth the way of the spirit?"

"Let us understand and be sympathetic to pray for the repose of the soul of Jack Ruby."

Reporters and the curious, barred from the chapel, listened over loudspeakers as Rabbi Graubart tried to console Ruby's seven brothers and sisters, more distant relatives, and lawyers

Mr. Tolson	_____
Mr. DeLoach	_____
Mr. Mohr	_____
Mr. Wick	_____
Mr. Casper	_____
Mr. Callahan	_____
Mr. Conrad	_____
Mr. Felt	_____
Mr. Gale	_____
Mr. Rosen	_____
Mr. Sullivan	_____
Mr. Tavel	_____
Mr. Trotter	_____
Tele. Room	_____
Miss Holmes	_____
Miss Gandy	_____

(Indicate page, name of newspaper, city and state.)

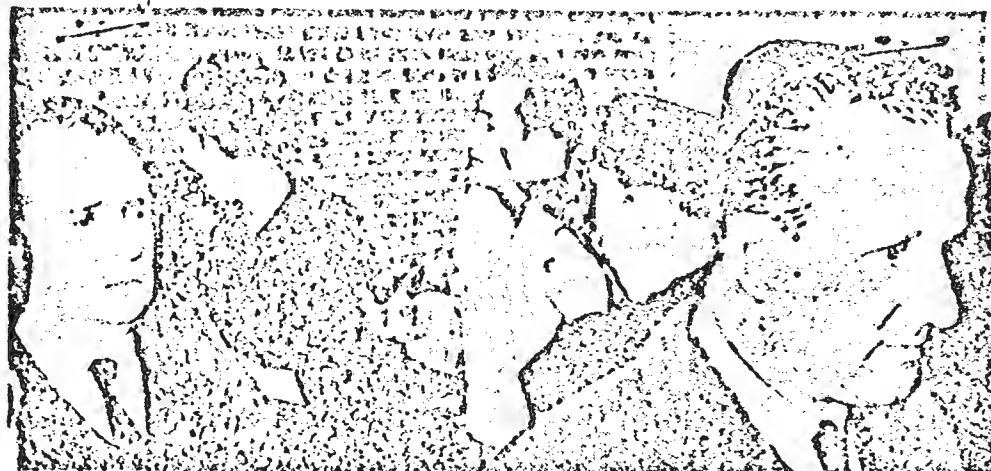
8A

"Dallas Times Morning News"
Dallas, Texas

Date: 1/7/67
Edition:
Author:
Editor: S. Kruger
Title:

Character:
or
Classification:
Submitting Office: Dallas
☐ Being Investigated

55 JAN 23 1967



—Associated Press Wirephoto.

Two brothers of Jack Ruby, Sam Ruby, left, and Earl Ruby, leave Chicago funeral home Friday after

private funeral services are held.

who had fought his battles in Texas courts.

"On the surface we would consider Jack Ruby as having been an avenger . . . a misguided kind of patriot," the rabbi said. "There were conflicts . . . raging within him.

"Shall we condemn Jack Ruby? Certainly not."

Leading the mourners were Ruby's brothers, Earl, of Detroit, Sam, of Chicago, and Hyman Rubenstein, also of Chicago; and his sisters, Mrs. Mary Carroll, Mrs. Ann Volpert and Mrs. Eileen Kaminsky, all of Chicago, and Mrs. Eva Grant of Dallas.

The pallbearers included three of Ruby's five lawyers—Elmer Gertz, Chicago, William Kungler, New York, and Phil Burleson, Dallas. The other pallbearers were Mrs. Kaminsky's

husband and two friends of the Ruby family.

Authorities were on the alert against one last outburst of the violence which etched the Ruby saga in the minds of millions throughout the world.

Police stood unobtrusive guard at the funeral home. Chicago police cars accompanied the funeral cortege to Chicago's northwest city limits. Suburban Norridge police took up the guard on the last leg of the 8-mile procession to the cemetery.

Ruby's family and funeral director Hershey Weinstein said the guard was not necessary. But Chicago police remembered Dallas.

Ruby's bronze casket was lowered into the grave at 11:30 a.m. Workmen took a green cover off the mound of clay beside the grave.

Then each of the pallbearers threw three shovelfuls of clay onto the coffin. Gravediggers took over the shovels as the mourners filed away to sit shiva, a traditional 7-day Jewish period of mourning, in the home of the Kaminskys.

Ruby's grave is about 13 miles northwest of the Maxwell Street outdoor market neighborhood where he was born 35 years ago as Jack Rubenstein, the fourth of eight children of Joseph and Fannie Rubenstein, natives of Poland.

"Sparky" Rubenstein grew up in the near-slum district as a rough-tough street brawler, made his way at an early age as a door-to-door hawker of notions, then branched out as a smalltime promoter and entrepreneur who found no fame until his path crossed Oswald's.

(Mount Clipping in Space Below)

DON'T CONDEMN HIM, RABBI SAYS AT SERVICE

Ruby Buried Here, No Disturbance at Rites

Jack Ruby "emphatically
could not be condemned . . .
acted as a patriot, but a
 misguided patriot."

Rabbi David Graubart of-
 fered those words of consol-
 ation today to the family and
 friends of the slayer of Presi-
 dent Kennedy's assassin at pri-
 vate services held in the Orig-
 inal Weinstein & Sons chapel,
 113 Peterson av.

About 100 persons — family
 members and friends—attended
 the brief Jewish conservative
 service.

Only 75 Gather
 Police were posted outside the
 building to discourage curiosity
 seekers. Only about 75 adults
 and children gathered there to
 see the coffin being carried to
 the hearse.

Rabbi Graubart, who presides
 over the Bet Din, or ecclesi-
 astical court, of Chicago's Con-
 servative rabbinate, told the
 mourners that "the eyes of the
 world are upon us now." He
 continued:

"Jack Ruby soon will be laid
 to rest. What is the verdict of
 history?"

"True, Jack Ruby linked
 himself with one of the most
 tragic moments in American
 history. I speak as a religion-
 ist who believes that man is
 loved because he is created
 in the image of God.

"Do not harshly condemn a
 person who succumbs to temp-
 tation until faced by a similar
 temptation and overcoming it."

"Not Evil Man"
 The rabbi said Ruby "thought
 he would acquire his world in
 one moment but destroyed his
 world in one moment.

"He was not an evil man.
 In one of the most tragic
 moments of history, because he

loved the martyred President
 as we all did, he made it his
 personal task to avenge his
 death. This act we cannot con-
 done. We dare not judge."

Ruby died Tuesday in Dallas,
 Tex., of cancer.

Ruby's four sisters and three
 brothers sat with other rela-
 tives and Jack's friends.

Burial was in Westlawn cem-
 etery, 7201 Montrose av., be-
 side the graves of his mother
 and father.

The pallbearers included
 three lawyers who have defend-
 ed Ruby at various stages of
 his trial in Dallas. They are
 Elmer Gertz of Chicago, Phil
 Burleson of Dallas, and William
 Kunstler of New York City.

The other pallbearers were
 Mike Levin and Joseph Kell-
 man, Chicago friends of Ruby,
 and Ruby's brother-in-law, Har-
 old Kaminsky.

In an unusual ceremony yes-
 terday, newsmen passed before
 Ruby's open bronze coffin.
 Members of the family had re-
 quested the viewing by the
 press to eliminate any possibi-
 lity of rumors that the body
 buried today was not that of
 Ruby.

In death, Ruby was dressed
 in a dark suit and yarmulke
 skull cap. Over the body was
 draped the traditional blue and
 white prayer shawl.

An American flag, symbol-
 izing the 33 months Ruby spent

in the Army air corps in World
 War II, was spread over the
 casket.

Standing at the coffin as
 newsmen viewed the body were
 Ruby's three brothers, Sam, of
 6123 N. Hoyle av.; Earl, of
 Detroit, and Hyman, of 1044
 Loyola av.

Also at the chapel were three
 of Ruby's four sisters, Mrs.
 Ann Volpert, 6123 N. Hoyle av.;

Mrs. Marian Carroll, 1044 Loy-
 ola av.; and Mrs. Eva Grant,
 of Dallas.

Another sister, Mrs. Eileen
 Kaminsky, 6742 N. Tolman av.,
 was ill and not present.

Mr. Tolson _____
 Mr. DeLoach _____
 Mr. Mohr _____
 Mr. Wick _____
 Mr. Casper _____
 Mr. Callahan _____
 Mr. Conrad _____
 Mr. Felt _____
 Mr. Gale _____
 Mr. Rosen _____
 Mr. Sullivan _____
 Mr. Tavel _____
 Mr. Trotter _____
 Tele. Room _____
 Miss Holmes _____
 Miss Gandy _____

(Indicate page, name of
 newspaper, city and state.)

CHICAGO AMERICAN
 CHICAGO, ILLINOIS

1-6-67

Date: GREEN STREAK

Edition:

Author:

Editor: LLOYD WENDT

Title:

Character:

or

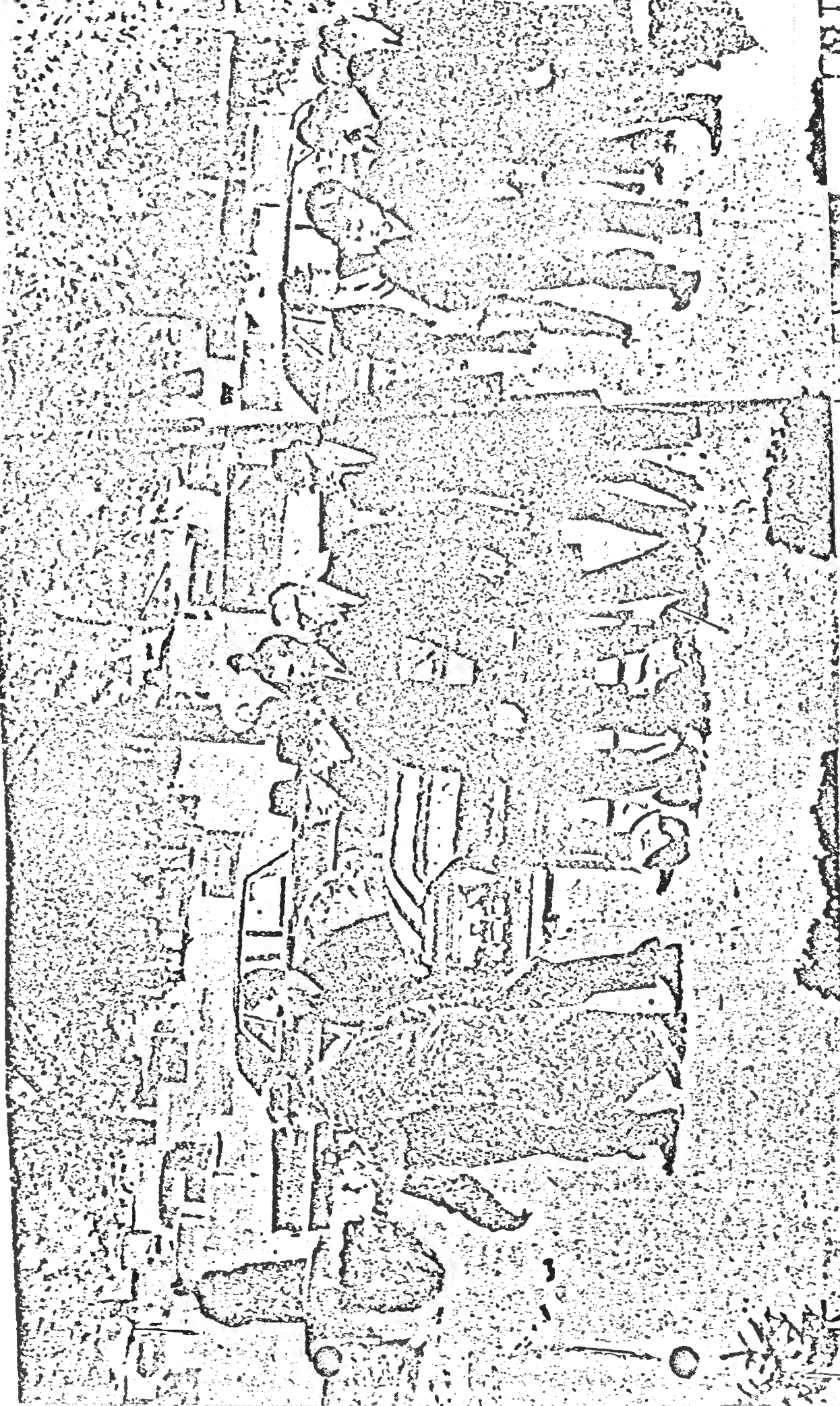
Classification:

Submitting Office: CHICAGO

NOT RECORDED
 191 JAN 17 1967



AFTER LAST RITES in chapel, two of Ruby's sisters, Mrs. Eileen Kaminski and Mrs. Anne Volpert [seated in car], both of Chicago, start trip to cemetery.



CHICAGO'S AMERICAN PHOTOS

FLAG-DRAPE COFFIN OF JACK RUBY IS BORNE TO GRAVE-
SIDE IN WESTLAWN CEMETERY, 7801 MONTROSE AV., FOLLOWED
BY FAMILY MEMBERS AND FRIENDS, THE ONLY PERSONS PERMITTED
AT FUNERAL

John Wick ✓
 Casper _____
 Callahan _____
 Conrad _____
 Felt _____
 Gale ✓
 Rosen ✓
 Sullivan ✓
 Tavel _____
 Trotter _____
 Tele. Room _____
 Holmes _____
 Gandy _____

UPI-25

(COPY)

CHICAGO—JACK RUBY WAS EULOGIZED TODAY AS A MAN WHO ACTED IN A "DASH MOMENT...AS A KIND OF AVENGER" WHEN HE KILLED PRESIDENT KENNEDY'S ASSASSIN.

THE EULOGY OF RABBI DAVID GRAUFAPT WAS PREPARED FOR DELIVERY AT TRADITIONAL CONSERVATIVE JEWISH FUNERAL SERVICES, "A SACRED SERVICE CONSECRATED TO THE MEMORY OF JACK RUBY."

"THE EYES OF THE WORLD ARE NOW UPON US," SAID THE RABBI, A FRIEND OF THE FAMILY WHO NEVER PERSONALLY KNEW RUBY. "JACK RUBY WILL SOON BE LAID TO REST. WHAT IS THE VERDICT OF HISTORY?"

176--GES46A

197 10 1967

53 JAN 12 1967

WASHINGTON CAPITAL NEWS SERVICE

Ruby's Family Views His Body in Chicago

(CHICAGO, Ill. (AP) — Jack Ruby's sisters and brothers viewed his body Thursday as it lay in a flag-draped casket in a funeral home.

An American flag, token of Ruby's service as an Army Air Corps mechanic during World II, was draped on the

bronze casket. Nearby were eight floral pieces.

The body was attired in a black suit, a black tie and a white shirt, and the traditional Jewish shawl and skullcap.

Reporters walked by the casket later. They did so at the request of some members of the family. Hershey Weinstein, president of the Original Weinstein & Sons Funeral Home, said they wanted to forestall any future speculation that the body was not Ruby's.

A family-only funeral has been arranged at the funeral home on the northwest side Friday morning. Ruby will be interred beside his parents in Westlawn Cemetery.

Ruby, 35, the slayer of Lee Harvey Oswald, who was named by the Warren Commission as President John F. Kennedy's assassin, died Tuesday in Dallas.

One brother, Hyman Rubenstein, objected to the presence of reporters in the lobby of the funeral home before they and members of the family viewed the body. But his objections ended after another brother, Earl, talked to him.

A police detail stood guard at the chapel to prevent any disruptive incidents by curious strangers.

Rabbi David Graubart will conduct the funeral services, which he described as a traditional Jewish ritual of burial, at the funeral chapel and at graveside.

At the grave, Ruby's three brothers, Earl Ruby of Southfield, Mich.; Sam Ruby and Hyman Rubenstein, both of Chicago, will recite the Kaddish, a Jewish prayer.

Mr. Tolson _____
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Mr. Sullivan _____
Mr. Tavel _____
Mr. Trotter _____
Tele. Room _____
Miss Holmes _____
Miss Gandy _____

Indicate page, name of newspaper, city and state.)

184

Dallas
Morning News
Dallas, Texas

Date: 1/6/67
Edition:
Author:
Editor: J. R. Hodge
Title:

Character:
or
Classification:
Submitting Office: Dallas

☐ Being Investigated

NOT RECORDED
191 JAN 20 1967

55 JAN 23 1967

(Insert Clipping in Space Below)

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Mr. Trotter	_____
Tele. Room	_____
Miss Holmes	_____
Miss Gandy	_____

(Indicate page, name of newspaper, city and state.)

18A

18A
"The Dallas Morning News"
Dallas, Texas

Date: 1/6/67
Edition:
Author:
Editor: John C. Hanger
Title:

Character:
or
Classification:
Submitting Office: 2-1103
☐ Being Investigated

NOT RECORDED
191 JAN 20 1967

44-24516
55 JAN 23 1967

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The Road That Ruby Took

*Two roads diverged in a wood, and I—
I took the one less traveled by;
And that has made all the difference.*

The Road Not Taken, by Robert Frost

The poet was lucky, perhaps, or perhaps more perceptive than most. He knew he was making a choice. When Jack Rubenstein—later Jack Ruby—moved from Chicago to Dallas in 1947, he no doubt chose as most people do, without conscious choice, perhaps unaware that other roads were open too, certainly unaware where the road chosen would lead him.

Once in Dallas, he chose to remain—perhaps believing he had no other choice—and so Lee Harvey Oswald never lived to stand trial for the murder of President Kennedy, and Ruby died, the other day, not alone and in obscurity but with the world waiting, listening for his last breath.

And yet the thing is even more chancy than that. Last month Ruby's brother Earl recorded a conversation with Jack Ruby. "Curiosity had aroused me," said the now stilled voice, "because it flashed in my mind, seeing the people there before I went to it, as I drove by on Main Street—on the south side of Main Street. I walked toward the ramp . . . All I did is walk down there

—down to the bottom of the ramp and that's when the incident happened."

The incident was his killing of Oswald in the basement of the Dallas jail. Ruby may have realized, at the end, the accidental driftings of his life, for he said now to his brother, "The ironic part of this business (is) that I made an illegal turn behind a bus at the parking lot. Had I gone the way I was supposed to go—straight on down Main Street—I would never—I would never have met this fate because the difference of meeting this fate was 30 seconds one way or the other."

He died two weeks later, and now—though many thousands of television watchers saw him kill Oswald—we'll have to settle for a Scotch verdict. Not proved. Finally—chance still at work—disease destroyed him before he could be tried a second time for Oswald's murder. We're all gamblers and in the end, perhaps, never know whether we're winners or losers.

(Indicate page, name of newspaper, city and state.)

41

CHICAGO SUN TIMES
CHICAGO, ILLINOIS

1-5-67

Date: FOUR STAR FINAL
Edition:
Author:
Editor: DWIGHT DEDMON
Title:
JACK RUBY

Character:
or 44-645
Classification:
Submitting Office: CHICAGO
☐ Being Investigated

55 JAN 23 1967

191 JAN 20 1967

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 Tavel ☐
 Trotter ☐
 Tele. Room ☐
 Holmes ☐
 Gandy ☐

UPI-43

(RUBY PISTOL)

DALLAS--DIST. ATTY. HENRY WADE SAID WEDNESDAY HE WILL LET THE COURTS DECIDE OWNERSHIP OF THE GUN JACK RUBY USED TO KILL PRESIDENTIAL ASSASSIN LEE HARVEY OSWALD.

WADE SAID HE HAD A REQUEST FOR THE .38-COLT CALIBER PISTOL BY PHIL FURLESON, RUBY'S COURT APPOINTED LAWYER.

THE PISTOL IS IN A SAFE IN WADE'S OFFICE.

ASST. U.S. ATTY. TIM TIMMINS SAID HIS OFFICE "IS NOW STUDYING THE MATTER TO DETERMINE WHETHER THIS GUN OR OTHER ITEMS OF PROPERTY WHICH BELONG TO RUBY WERE CONSIDERED BY THE WARREN COMMISSION.

"IF SO, THE TITLE TO SUCH PROPERTY MAY HAVE BEEN TRANSFERRED TO THE UNITED STATES UNDER THE PUBLIC LAW PASSED BY CONGRESS TO PRESERVE SUCH ITEMS OF EVIDENCE RELATING TO THE ASSASSINATION OF PRESIDENT KENNEDY."

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 199 JAN 10 1967

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44-24016
 WASHINGTON CAPITAL NEWS SERVICE

61 JAN 2 1967

14-34016

1-1-1

CHICAGO-JACK RUBY'S CASKET WILL PROBABLY BE DRESSED WITH AN AMERICAN FLAG AND HE WILL BE NAMED AS A MAN WHO LOST HIMSELF "IN A MOMENT OF EXTREME EMOTION" WHEN SERVICES FOR THE SLAYER OF LEE HARVEY OSWALD ARE HELD FRIDAY.

THESE PLANS WERE REVEALED TODAY AS POLICE ON THE ALERT FOR "TROUBLE" GUARDED THE FUNERAL HOME WHERE RUBY LAY AND CONTROVERSY POSE OVER HIS FAMILY'S CHARGE THAT HIS DEATH TUESDAY STEMMED FROM NEGLECT AND "MENTAL ANGUISH" WHILE IN A DALLAS JAIL.

A SPOKESMAN FOR THE RUBY FAMILY, ATTORNEY ELMER GERTZ, ISSUED A PLEA THAT NEWS MEDIA "RESPECT THE FEELINGS OF THE DECEASED FAMILY AND THE PROPERTIES OF THE OCCASION" AT THE JEWISH FUNERAL PITS FRIDAY AND AT RUBY'S BURIAL RESIDE HIS PARENTS' GRAVES IN WESTLAWN CEMETERY ON CHICAGO'S NORTHWEST SIDE.

HERSHEY WEINSTEIN, MANAGER OF THE FUNERAL HOME WHERE THE SERVICES WILL BE HELD, SAID HE HAD RECEIVED PERMISSION FROM THE VETERANS ADMINISTRATION TO DRESS RUBY'S BRONZE CASKET WITH AN AMERICAN FLAG. THIS HONOR IS RUE RUBY, WEINSTEIN SAID, BECAUSE HE WAS A VETERAN OF THE ARMED FORCES AND RECEIVED AN HONORABLE DISCHARGE.

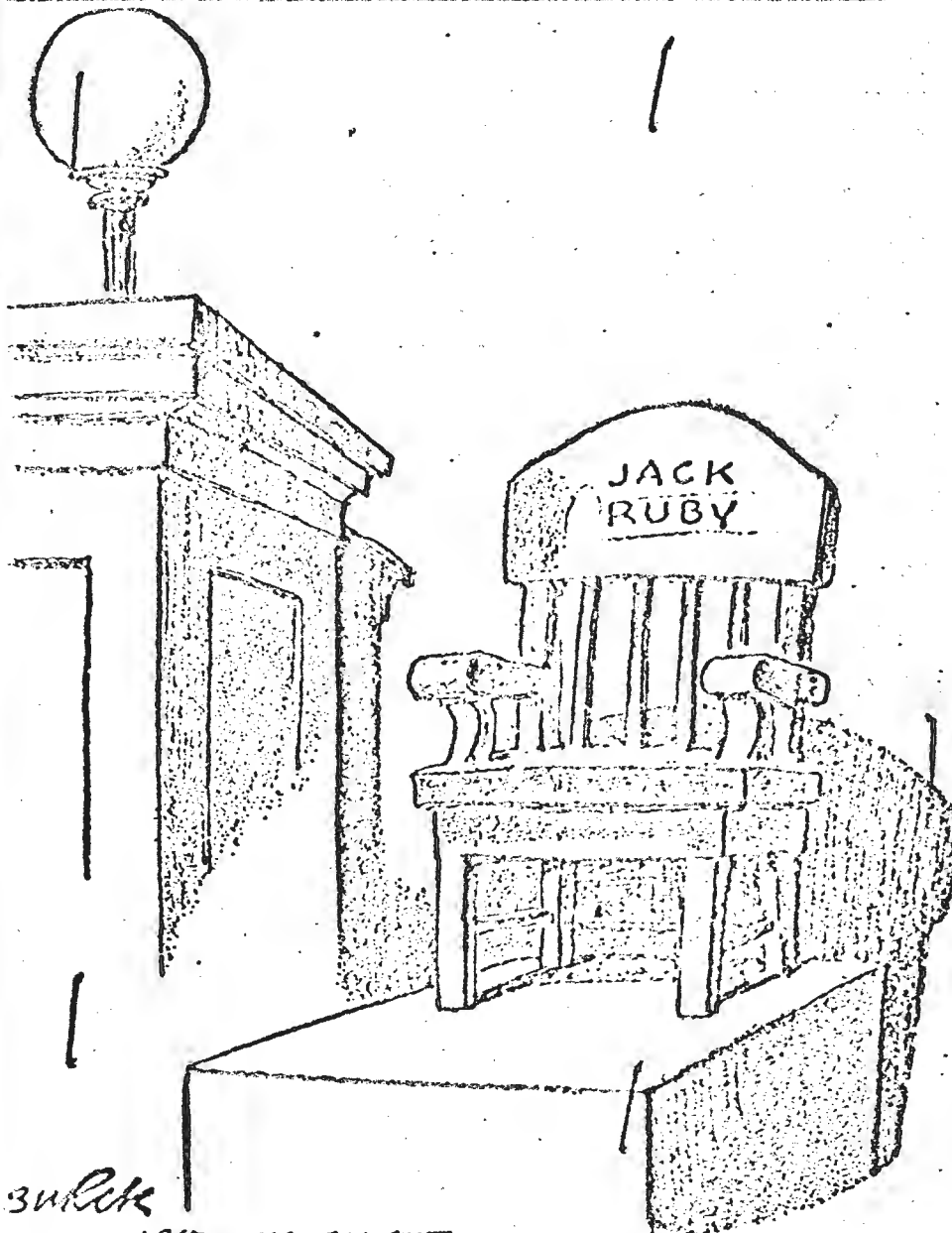
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UPI-52

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- _____ Tavel
- _____ Sullivan
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- _____ G. J.
- _____ Fell
- _____ Conrad
- _____ Callahan
- _____ Cooper
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Mr. Tolson _____
 Mr. DeLoach _____
 Mr. Mohr _____
 Mr. Wick _____

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3URK

1967, CHICAGO SUN-TIME

The empty witness chair

(Indicate page, name of newspaper, city and state.)

41

CHICAGO SUN TIME
 CHICAGO, ILLINOIS

Date: 1-5-67

Edition:

Author: FOUR STAR FINA

Editor: EMMETT DEDMON

Title: JACK RUBY

Character: 44-645

or

Classification:

Submitting Office:

CHICAGO

55 JAN 23 1967

NOT RECORDED
 191 JAN 20 1967

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KUP'S COLUMN

Jack Ruby's attorneys are discussing the possibility of bringing suit against Dallas jail authorities for "negligence and incompetence" in treating Ruby for a cold when he had cancer. (But they all are high on the treatment he received at Parkland Hospital.)

Mr. Tolson _____
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 Mr. Callahan _____
 Mr. Conrad _____
 Mr. Felt _____
 Mr. Gale _____
 Mr. Rosen _____
 Mr. Sullivan _____
 Mr. Tavel _____
 Mr. Trotter _____
 Mr. Tele. Room _____
 Mr. Holmes _____
 Miss Gandy _____

(Indicate page, name of newspaper, city and state.)

70

CHICAGO SUN TIM
 CHICAGO, ILLINOI

Date: 1-5-67

Edition:

Author: FOUR STAR FINA

Editor: EMMETT DEDMON

Title: JACK RUBY

Character:

or 44-645

Classification:

Submitting Office:

CHICAGO

55 JAN 23 1967

NOT RECORDED
 191 JAN 20 1967

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Miss Holmes _____
Miss Gandy _____

Neglect of Ruby Denied

Dallas County jail doctors Thursday said Jack Ruby received close medical attention than any other prisoner in the facility.

"He was a fair-haired prisoner," said County Sheriff Bill Decker.

Dr. J. M. Pickard, county health director, said no member of Ruby's family ever complained to him that Ruby did not receive proper medical attention.

ACCUSATIONS THAT Ruby had been "neglected" by physicians and police during the past four months were leveled

Wednesday in Chicago by his sister, Eva Grant. Ruby died Tuesday morning at Parkland Hospital, where he had been undergoing treatment for cancer which was detected shortly after he was taken there on Dec. 9.

Jail physicians who attended Ruby said he received frequent medical attention throughout the more than three years he was in the Dallas County jail.

The physicians said that all prisoners in county jail are visited if they ask for a doctor. They said Ruby was visited frequently whether he asked for a doctor or not.

IN ADDITION TO the daily visits of doctors, Ruby in May 1961 was given a complete physical examination, including X-rays. This procedure is rarely employed with other prisoners. The X-rays, said the doctor who read them, showed no sign of lung cancer.

Dr. Pickard said that during the first two years of Ruby's imprisonment he visited him "two or three times a week." Dr. Pickard said his visits were to determine Ruby's general physical condition.

Dr. Pickard said he had received "not one complaint about negligence" concerning Ruby during the years the killer of Lee Harvey Oswald was in jail.

"IF THEY WERE not happy about his treatment, it looks like they would have complained to me," he said.

At a press conference Tuesday at Parkland Hospital, Ruby's attorney said Mrs. Grant and other members of the family were "highly laudatory" of the treatment he received at the hospital. Attorney Phil Burleson praised Drs. Eugene Fienkel, Jay Sanford and Jack Barnett, three of the physicians who cared for Ruby during the last days of his life.

(Indicate page, name of newspaper, city and state.)

21A

"The Dallas Times Herald"
Dallas, Texas

Date: 1/5/67

Edition:

Author:

Editor: Felix R. McKnight

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Character:
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Classification:

Submitting Office:

☐ Being Investigated Dallas

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55 JAN 23 1967

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Appeals Court Keeps Large File on Ruby

AUSTIN (AP)—The Jack Ruby case still is represented by a large pile of documents which will remain permanently on file with the Texas Appeals Court which ruled Ruby never got a fair trial for killing Lee Harvey Oswald.

Clerk Glenn Haynes of the Texas Court of Criminal Appeals said the court will retain its copy of the voluminous transcript and statement of facts from the March 1964 trial in Dallas in which Ruby was sentenced to death.

Ruby's snub-nosed revolver, with which he shot Oswald, photos of the slaying, an electroencephalogram of Ruby's brain, tape recordings, newspapers and

several boxes of other evidence were sent back to Dallas Dist. Clerk Bill Shaw, Haynes said.

The appeals court reversed Ruby's conviction for slaying the accused presidential assassin Oct. 5 and ordered that he be tried away from Dallas County.

The case later was assigned to Wichita County (Wichita Falls).

"We kept the transcript and statement of facts as a permanent record," Haynes said. "There is no reason why anybody else would need it because the case is disposed of now."

Mr. Tolson _____
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(Indicate page, name of newspaper, city and state.)

7A

"The Dallas
Times Herald"
Dallas, Texas

Date: 1/5/67
Edition:
Author:
Editor: Felix R. McKnight
Title:

Character:

or

Classification:

Submitting Office:

☐ Being Investigated

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55 JAN 23 1967

(Mount Clipping in Space Below)

Chicago Police Guard Ruby Body

Call to Chapel From Dallas Predicts 'Trouble' Possible

CHICAGO (AP) — Police maintained a vigil today at the chapel which houses the body of Jack Ruby, who killed the accused assassin of President John F. Kennedy.

Ruby, 35, died in a Dallas hospital Tuesday of a massive blood clot. Cancer was listed as a contributory cause of death.

Four policemen were stationed at the chapel Wednesday after the funeral home received many calls concerning Ruby. A police officer said that only one patrolman would continue the vigil today.

THE OPERATOR of the chap-

el, Hershey Weinstein, told newsmen he received an anonymous call from a man who asked what security plans had been made.

Weinstein related that the man said, "You'd better get some security. There's liable to be trouble." The call came from Dallas, he said.

Ruby was convicted of murder with malice and received the death sentence for the slaying of Lee Harvey Oswald, whom the Warren commission named as the assassin of President Kennedy. The conviction was overruled by the Texas Court of Appeals and a new trial had been scheduled.

RUBY'S BODY was returned by plane to his native Chicago Wednesday. The body was taken to the Original Weinstein and Son funeral chapel where it will remain until interment Friday.

The services will be restricted to members of the immediate family — three brothers and four sisters. Burial will take place in Westlawn Cemetery on the Northwest Side.

Ruby's brother, Earl, of Southfield, Mich., told newsmen that his brother suffered mental anguish at the thought that anyone believed his part in the Dallas tragedy resulted from a conspiracy to kill the President.

EARL SAID he brought a tape recorder to the hospital so the stricken Ruby could state publicly he had never known Oswald and was not involved in any conspiracy.

The three-minute recording will be incorporated in a record entitled "The Controversy," which deals with the assassination.

Another brother, Sam, of Chicago, said Ruby's share of the proceeds from the record would be used to defray his debts, approximately \$50,000 incurred from legal fees and hospital costs for his brother.

The family members also criticized the treatment of their brother by Dallas authorities.

"They definitely neglected Jack when he was in jail," Earl said.

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(Indicate page, name of newspaper, city and state.)

7A

"The Dallas
Times Herald"
Dallas, Texas

Date: 1/5/67
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Classification:
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55 JAN 23 1967

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191 JAN 20 1967

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101 JAN 20 1967

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Judaism Pardons Him, Says Rabbi

Ruby's Eulogy: A Misguided Patriot

BY JEFF LYON

The eulogy for Jack Ruby will stress "forgiveness for a misguided patriot" when the slayer of assassin Lee Harvey Oswald is buried tomorrow wearing the traditional Jewish prayer shawl and skullcap.

Rabbi David Graubart said he will speak of Ruby's "terrible emotional anguish over President Kennedy's death and will paint him as a victim of the forces at work in his personality."

Rabbi Graubart will conduct private services at 10 a. m. tomorrow in the Original Weinstein & Sons chapel at 3019 Peterson av. Ruby will then be laid to rest in Westlawn cemetery, 7801 Montrose av., beside the graves of his parents.

Family to See Body

An emotion-charged scene is expected at the chapel today when the bronze coffin is opened to allow immediate family to view the body.

A police guard is to be on duty at the chapel thru the funeral to protect the family from curiosity seekers, said Hershey

Weinstein, president of the funeral home.

Weinstein said the chapel has received several threatening phone calls, but he said they were obviously the work of cranks.

Ruby, 35, born in the west side slums of Chicago, died

Tuesday in Parkland hospital in Dallas of a blood clot and cancer. The Dallas nightclub owner had been awaiting a new trial for the murder Nov. 24, 1963, of President Kennedy's assassin.

Plans Traditional Rites

Rabbi Graubart, presiding rabbi of Bet Din of the Chicago Region of the Rabbinical association, spoke with Chicago's AMERICAN as he composed his eulogy.

The rabbi described tomorrow's services as "traditional Conservative Jewish rites." There will be no visitation, and the coffin will remain closed. Ruby will not be clad in a shroud, as in Orthodox Jewish services.

Rabbi Graubart said his eulogy will be partially concerned with Ruby's fatal shooting of Oswald in the Dallas jail before millions of television viewers.

"I intend to point out that when a man does a thing of this kind, it is because something did not click in his mind. Judaism tells us that no one sins unless he is at the time somewhat unbalanced."

"Loved His Leader"

"I will say that Jack Ruby was a misguided patriot," Rabbi Graubart said. "He loved his leader and was terribly involved with President Kennedy's death. This was basically a revenge of that death. With insight into the man's personality, we must have sympathy, understanding, and forgiveness."

The rabbi said the law might have realized Ruby's aberrations eventually. "But I will tell of how religion functions at another level, going beyond the

Judaism death offers forgiveness for sins. It settles all accounts, and pardons a man for whatever he did. Thru Judaism a man scales the ladder thru-out his life, and in the hereafter he has a second chance.

"Man is not the master of his own destiny," the rabbi said. "He is the victim of the forces at work in his personality."

Reading of Psalms

The rabbi said tomorrow's rites will include the reading of the 8th and 23d Psalms and the reciting of the Kaddish, the Jewish prayer for the dead, at the graveside.

Rabbi Graubart said he did not know Ruby personally.

"I have been told, tho, that he was a very religious man. He was a member of Shearith Israel synagogue in Dallas, and on the day of the assassination he attended a memorial service for the late President."

Spokesmen for Weinstein & Sons said a headstone would not be placed on Ruby's grave for a year.

"This is partly because of Jewish tradition and partly because of the threat of desecration of the grave by the curious," the spokesman said. "We would hope in a year that all will be forgotten."

(Indicate page, name of newspaper, city and state.)

CHICAGO AMERICAN
CHICAGO, ILLINOIS

1-5-67

Date: 3 STAR FINAL
Edition: JEFF LYON
Author: LLOYD WENDT
Editor: JACK PHEEY
Title:

Character: 44-645
or
Classification:
Submitting Office: CHICAGO
☐ Being Investigated

55 JAN 23 1967

will explain that in

Ruby's Funeral Friday to Be Private

CHICAGO, Jan. 4 (AP) — Jack Ruby will be buried on Friday morning after a private funeral. Ruby, who killed Lee Harvey Oswald, the assassin of President Kennedy, died in Dallas on Tuesday.

The Jewish service will be attended only by members of Ruby's family and a few close friends. Burial will be in the family plot in Westlawn Cemetery.

Ruby's body was flown back to Chicago, his home town, last night, arriving just after midnight.

The funeral plans were made after he was admitted to Parkland Hospital under guard, his brother said.

Present were Earl Ruby of Southfield, Mich., and Sam Rubenstein of Detroit, brothers of Ruby, and Mrs. Eva Grant of Dallas and Mrs. Harold Kaminsky and Mrs. Anna Volpert of Chicago, sisters.

Another brother, Hyman Rubenstein, and another sister, Mr. Norman Carroll, both of Chicago, were not present.

There will be no public viewing of the body, but the family consented that newsmen be allowed to view it tomorrow afternoon.

Earl Ruby talked to reporters after the conference on funeral plans. He said Rabbi David Graubart had been asked to officiate at the service at 10 A.M.

Blood Clot Fatal

Jack Ruby died in Parkland Memorial Hospital, to which he had been admitted, suffering from cancer, on Dec. 9. The primary cause of death was a massive blood clot in the lungs, according to Dr. Earl Rose, the Dallas County medical examiner.

Earl Ruby, as the family spokesman, told reporters today:

"I can only say the thing that really bothered my brother

was that anybody could think that he was involved in a conspiracy with Oswald to kill the President."

He said Jack suffered "great mental anguish" over anyone believing he had had anything to do with President Kennedy's death.

Several times Earl Ruby came back to that theme: "Jack was disturbed that he was believed a part of a conspiracy."

The Warren Commission held that there was no link whatever between Ruby and Oswald.

"Jack lost the will to live" after he was admitted to Parkland Hospital under guard, his brother said.

Asked if he had any feelings about the treatment Ruby received as a prisoner in Dallas,

Earl Ruby said: "Yes. They definitely neglected Jack when he was in jail. For four months he was throwing up and complaining of feeling ill."

The brother said that at Jack's request he had taken a tape recorder to his hospital room.

"He got his words on tape—that he was not a part of any conspiracy and didn't know Oswald before this thing happened," Earl Ruby said.

He said his brother had incurred about \$50,000 in debts as a result of his trial and the appeal of his murder conviction. The conviction was nullified by the Texas Court of Criminal Appeals, which ordered a new trial.

This had been tentatively scheduled next month.

Earl Ruby ended the news conference with a plea that the public respect his brother in death.

Mr. Weinstein told newsmen that he had received an anonymous telephone call from a man in Dallas who asked what "security" he planned for the funeral service.

Mr. Weinstein said he had

told the caller he had made no special plans and the man then said: "You'd better get some security. There's liable to be trouble."

A police sergeant and two patrolmen had been routinely assigned to the funeral home before the phone call.

Handwritten signatures and initials, including "J.B.L."

44-24016-A
NOT RECORDED
184 JAN 10 1967

The Washington Post and Times Herald

The Washington Daily News

The Washington Evening Star

New York Daily News

New York Post

The New York Times

New York World

Journal Tribune

The Baltimore Sun

The Worker

The New Leader

The Wall Street Journal

The National Observer

People's World

Date

JAN 5 1967

6 JAN 11 1967

File 6-1-1

44-24016

Ruby Controversy Given New Impetus by Death

From News Dispatches

CHICAGO, Jan. 4 — Jack Ruby came back to Chicago today, an object of controversy even in death.

At the Original Weinstein & Sons Funeral Home, his brother, Earl Ruby, charged that "Jack was definitely neglected by the police in Dallas. Jack Ruby was throwing up in jail for four months and they neglected him for that time."

Ruby died of a massive blood clot in the lungs yesterday, less than a month after advanced cancer was diagnosed. The foreign press from Moscow to London today regarded his passing as further evidence that the slayer of Lee Harvey Oswald, the accused assassin of President Kennedy, was part of a conspiracy.

His sister, Eva Grant, agreed with her brother that Jack Ruby had been the victim of neglect on the part of Dallas doctors. So saying, she burst into tears.

Dallas officials quoted by United Press International denied this.

"I didn't suspicion cancer," said Dr. J. M. Pickard, Dallas County medical officer. "This particular type of cancer does not show itself for some time, until it is well advanced. We do not have the diagnostic facilities that you have at Parkland Hospital."

It was at the Parkland Hospital that Ruby died. It was also at Parkland that President Kennedy was pronounced dead on Nov. 22, 1963.

Ruby, who is said to have left \$73,000 in debts, is scheduled to be buried next to his parents Friday after a Conservative Jewish service.

Hershey Weinstein, the head of the firm that is handling the funeral, said he had ordered a special bronze casket as a gift to members of the Ruby family, who are among his personal friends.

The family would accept neither the gift of the casket nor Weinstein's offer to underwrite the entire cost of the funeral.

Earl Ruby said he would assume Jack's debts and also pay the funeral expenses, which Weinstein said would come to about \$1500.

Part of the debts may be paid by royalties from an album being issued by Capitol Records entitled "The Controversy." Included in it is a 3-minute tape recording in which Jack Ruby denied he was part of any conspiracy to kill President Kennedy.

It was talk that there had been a plot that really killed Jack, Earl Ruby said.

"He lost the will to live because he felt that people felt it was part of a conspiracy," he said.

"He died from mental anguish from people thinking he was part of a conspiracy," Mrs. Grant added.

Rabbi David Graubart will conduct the service Friday.

Foreign press reaction to Ruby's death included these comments:

• The Soviet government newspaper Izvestia said Ruby's "suddenly discovered lethal illness" was suspicious. It cited reports that Ruby "suspected he had been infected with cancer through an injection given in jail." Tass said that "even the slightest chance to uncover the secret of the assassination disappeared" with Ruby's death.

• Several French papers also took the "conspiracy" view. The right-wing L'Aurore said a succession of mysterious deaths of key witnesses in the case gave the impression that someone wanted to end all possibility of a new inquiry.

• In London, the Sun, an independent, pro-Labor Party newspaper, said that Ruby died "when many people were questioning whether he was one of a ring of conspirators behind the shooting of the President."

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Tele. Room _____
Holmes _____
Gandy _____

Handwritten notes and signatures:
174-24016-A
NOT RECORDED
184 JAN 5 1967
RUBIN

The Washington Post and Times Herald **A-3**
The Washington Daily News _____
The Washington Evening Star _____
New York Daily News _____
New York Post _____
The New York Times _____
New York World _____
Journal Tribune _____
The Baltimore Sun _____
The Worker _____
The New Leader _____
The Wall Street Journal _____
The National Observer _____
People's World _____
Date _____

62 JAN 11 1967

44-24016

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JAN 5 1967

DeLoach ☒
 Mohr ☒
 Wick ☒
 Casper ☒
 Callahan ☒
 Conrad ☒
 Felt ☒
 Gale ☒
 Rosen ☒
 Sullivan ☒
 Tavel ☒
 Trotter ☒
 Tele. Room ☒
 Holmes ☒
 Gandy ☒

In The Nation: Mystery at Original Weinstein's

By TOM WICKER

WASHINGTON, Jan. — Jack Ruby was an unimposing little man, physically tough but soft and unsure and disturbed within himself. He was an unlikely agent of history or of anything else, and as his body lies in the funeral home of Original Weinstein & Son at Chicago the great drama in which he was so strangely involved three years ago is only the more inexplicable.

Like the cancer that contributed to his death, Ruby, too, appears to have been a blind killer without known cause; so, perhaps, was the man he murdered, Lee Harvey Oswald, the assassin of President Kennedy.

Unanswered Questions

Why did Oswald shoot? Because of Jack Ruby, no one is ever to know.

Was Oswald acting alone? Because of Ruby, that is unlikely to be proved to a certainty.

Was it to keep these questions unanswered, then, that Jack Ruby lunged between careless policemen to kill Lee Oswald? There are only Ruby's maundering words, and a lack of contrary evidence, to show that it was not.

The thesis of the Warren

Commission — that Oswald, alone and because of obscure mental disturbances, killed the President, and that Ruby, equally alone and for equally indefinable motives, killed Oswald — provides the only rationale of the assassination that accounts for its major episodes, despite the lesser incidents it may not explain.

But even for those who accept the Warren Report, the Dallas drama can never be a clear case of cause and effect that can be analyzed and fully understood through lawyers' evidence and scientists' data. For that reason, Jack Ruby, the strip-tease proprietor who could throw hecklers down the stairs of his club but who anguished over the fate of the Jews and at the end longed to go home to the Chicago that shaped him, will linger grotesquely in history.

Chance put him there, if his words are to be believed, because chance put him in the basement of the Dallas Police Department on Nov. 24, 1963.

As he drove past the building, he said, a slow-moving bus gave him an unexpected opportunity to make an illegal left turn into a parking lot near the telegraph office, instead of going farther on as he had intended.

That ("thirty seconds one

way or the other," he said) caused him to see the crowd at the police building, to join it out of curiosity. When Oswald appeared, Ruby "blacked out" and entered history in a trance.

Or perhaps not; Ruby said at other times that he killed Oswald to spare Mrs. Kennedy further ordeal, and "to show the world that Jews have guts."

Either way, if Ruby was to be believed at all, chance was at the root of it — the chance to make an unexpected turn, the chance of a cloudy brain and feverish emotions and a pistol in his pocket coming together with lax security in that time and that place.

If the Warren Commission's conclusions about Oswald are generally correct, chance was as hard at work on Nov. 22 — the chance that put Oswald in a job on the motorcade route, with his barely stifled hostilities, his bitter home life, his rifle and his ability to fire it, on a clear day when there would be no protective cover over a President's automobile.

And it was chance, finally, that struck Jack Ruby with cancer and the final blood clot be-

The Washington Post and

Times Herald

The Washington Daily News

The Washington Evening Star

New York Daily News

New York Post

The New York Times

New York World

Journal Tribune

The Baltimore Sun

The Worker

The New Leader

The Wall Street Journal

The National Observer

People's World

Date

44-24011-11 JAN 5 1967
 NOT RECORDED
 161 JAN 10 1967

fore a more orderly court could seize the last opportunity to make sense of him and his deed.

That is why, finally, the assassination and the rest of the drama of those November days must always be something of a mystery—despite the Warren Commission's labors, the books, the articles, the investigations. That is why new evidence, or the lack of it, probably never will still all doubts.

Capricious Malice of Chance

For at the heart of those doubts is the unwillingness or the inability of men calling themselves rational to accept the capricious malice of chance—the malignant fate that could place Lee Oswald in the one job that would give him a window from which to strike senselessly at a despised world, that could allow Jack Ruby an unplanned left turn into history, in which a loveless orphan and a Chicago street kid, without known cause or visible connection, could convulse humanity.

Shouldn't there be a better answer than that available to men who believe they can discover the secret of cancer? Not necessarily, but in neither case are they likely to stop looking.

(Mount Clipping in Space Below)

Jack Ruby Family, Friends To Attend Private Services

By Art Petacque

Private services will be held at 10 a.m. Friday for Jack Ruby, the killer of President John F. Kennedy's reputed assassin.

David Graubart, presiding rabbi of the Bet Din, ecclesiastical court of Chicago's Conservative rabbinates, will conduct the funeral service at Original Weinstein & Sons Chapel, 3019 W. Peterson.

Burial will be in the family plot at Westlawn Cemetery.

While the funeral was designated as private, it was known that members of Mr. Ruby's family have invited close friends to the service.

Some 100 persons, including family members, are expected to attend the funeral.

Guard Maintained

An around-the-clock guard by Chicago police was continued Wednesday at the Northwest Side chapel as the controversy that had enveloped Mr. Ruby's last years continued after his death.

Members of Mr. Ruby's family charged that he was neglected by Dallas authorities for months before his death Tuesday in Dallas.

His sister Mrs. Eva Grant, of Dallas, broke into tears at the funeral home and said "there was plenty of neglect there."

A brother, Earl, of Detroit, told newsmen, "Jack was definitely neglected by police in Dallas."

"He was a good American," said Mrs. Grant of her 55-year-old brother who killed Lee Harvey Oswald before national television.

Phone Call Told

Hershey Weinstein, president of the chapel, disclosed he had received a threatening

anonymous phone call Tuesday night from Dallas.

He said a man's voice told him, "You possibly ~~and~~ have trouble. You'd better have security."

Weinstein said he dismissed the incident as a crank call.

During a funeral parlor press conference, Earl Ruby charged that Dallas authorities had been "neglectful" of his brother for four months.

Mrs. Grant asserted that her brother died of "mental anguish, not cancer."

Medical authorities in Dallas have said a massive blood clot was the immediate cause of Mr. Ruby's death. Cancer was given as a contributing factor.

Recording Made

Earl Ruby told reporters that a secret tape recording was made by his brother shortly before his death to make it clear there was no association between Oswald and Mr. Ruby.

It was learned Wednesday that the Ruby family is in possession of scores of notes scribbled by Mr. Ruby during his confinement in Dallas.

But Elmer Gertz, one of the lawyers who represented Mr. Ruby, said he doubted there was anything in the notes that would shed new light on the Oswald slaying.

Gertz said he believed Mr. Ruby had told all he knew about the matter.

Big Debt Told

Gertz disclosed that Mr. Ruby, who grew up as a poor boy in a Chicago ghetto, died owing \$73,000.

His debts included \$47,000 owed the federal government for taxes from his business operations and \$26,000 for legal expenses in his trial and appeal in connection with the Oswald murder.

Gertz said a small portion of the debt will be cleared by "regular" from a "photograph record that includes Mr. Ruby's taped deathbed statements.

(Indicate page, name of newspaper, city and state.)

10

CHICAGO SUN TIME
CHICAGO, ILLINOIS

Date: 1-5-67
Edition: FOUR STAR FINAL
Author: ART PETACQUE
Editor: EMMETT DEDMON
Title: JACK RUBY

Character:
or 44-645
Classification:
Submitting Office: CHICAGO
☐ Being Investigated

NOT RECORDED
12-1-67

(Indicate page, name of office, date, city and state.)

Mr. Tolson _____
Mr. DeLoach _____
Mr. Mohr _____
Mr. Wick _____
Mr. Casper _____
Mr. Callahan _____
Mr. Conrad _____
Mr. Felt _____
Mr. Gale _____
Mr. Rosen _____
Mr. Sullivan _____
Mr. Tavel _____
Mr. Trotter _____
Tele. Room _____
Miss Holmes _____
Miss Gandy _____

Damage Suit Predicted by Tonahill

Joe Tonahill of Jasper predicted Wednesday that attorneys for Jack Ruby's survivors will "comb the damage suit area of the lawbooks."

Tonahill, a former Ruby lawyer, said that complaints over Ruby's treatment in jail may be a prelude to a damage suit.

Two members of the Ruby family, Mrs. Eva Grant and Earl Ruby, charged Wednesday that Ruby was "neglected" in jail.

Tonahill said that if Ruby lawyers would have joined him in a request for freedom on bail, private practitioners might have

discovered the cancer two months earlier.

Tonahill said he suggested bail for Ruby in October.

He added that the recording of Ruby made in Parkland Hospital "is consistent with the pattern in which they (the family) have always operated."

(Indicate page, name of office, date, city and state.)

9A

ONE BUFILE
"JANUARY 1967"
BUREAU, HOUSTON

Date: 1/5/67
Edition:
Author:
Editor: E. B. Krager
Title:

Character:
or
Classification:
Submitting Office: Dallas
☐ Being Investigated

55 JAN 23 1967

NOT RECORDED
131 JAN 20 1967

Mr. Tolson _____
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Burleson Found Ruby 'Very Warm'

There was no appeal from Jack Ruby's cancer.

Phil Burleson, Ruby's 33-year-old chief lawyer, could only watch helplessly as Ruby, the man he'd saved from the electric chair, withered and died.

Making Ruby's death doubly painful for Burleson was his earlier optimism that Ruby would come away from a new trial

convicted of nothing worse than murder without malice. It could have meant a relatively light sentence.

Burleson dropped by Parkland Hospital a couple of times a week during Ruby's last days. The lawyer was with Ruby the night before death came.

"I liked Jack," said Burleson Wednesday, admitting that in the legal struggles since Burleson entered the case in December, 1963, Ruby had become more than just another client.

"As a human being, as a person, he was usually very warm and normally concerned about others," said Burleson, sitting in his law library, sipping black coffee between phone calls.

A caller had a speeding ticket, Burleson took the case. Not all cases can be historic.

Does Burleson derive any sense of victory from the legal aspects of the Ruby case?

He said, "I think it's significant that Jack died not a convicted man."

Burleson refused to talk about his fees from the Ruby case. But people close to the lawyer say the fees probably won't cover Burleson's expenses and investments of time in the case.

For about a year, Burleson has functioned as a court-appointed attorney for Ruby. Such fees are modest. Even in prolonged cases they are usually no more than a few hundred dollars.

Burleson said he had no hand in the recording made of a conversation with Ruby at Parkland Hospital. A record of the conversation is being sold.

Although Burleson worked in the shadow of Melvin Belli during the Ruby trial, he nevertheless attracted nationwide publicity during the trial and during his successful fight for Ruby's life in the appeal. Burleson shows no inclination to capitalize on the publicity.

"I'm not going to put any records or write any books or make any movies or anything like that," he said.

Will he run for political office?

"I don't plan to," he said.

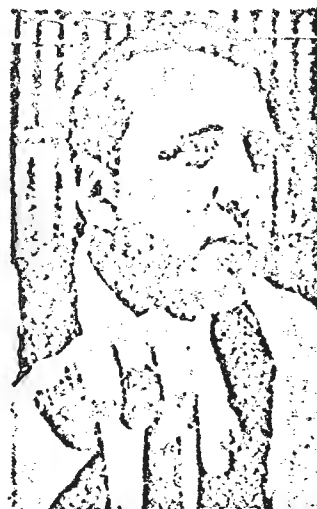
Burleson seems to be a man who is only interested in being a good lawyer.

As an assistant to Dist. Atty. Henry Wade for three years, Burleson, the appeals expert, handled and won for the prosecution appeals in seven death-penalty cases. Six of those men went to the chair. One's sentence was commuted.

As a defense lawyer, he's handled three death-penalty appeals and hasn't lost a client yet.

Does he believe in the death penalty?

"Not for my clients," he said.



Dallas News Staff Photo

Phil Burleson . . . Ruby was "warm, normally concerned about others."

(Indicate page, name of newspaper, city and state.)

9A

"Ruby Seemed
 'Very Warm'"
 DALLAS, TEXAS

Date: 1/5/67
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 Author:
 Editor: Jack B. Keger
 Title:

Character:
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 Classification:
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☐ Being Investigated

55 JAN 23 1967

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 191 JAN 20 1967

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No 'Circus' For Ruby-- Rabbi Plea

John In the South

...all of Chicago to permit the family of Jack Ruby to bury him in private.

"We don't want this funeral to become a circus," he commented.

The rabbi, David Graubart, presiding in the ecclesiastical court, or Beth Din, of the Chicago Region of the Rabbinical Assembly, will conduct the funeral Friday.

THE SERVICES will be at 10 a.m. in the Original Weinstein and Sons Funeral Home, 3019 W. Peterson. Graveside prayers will be said an hour later in Westlawn Cemetery, 7801 W. Montrose.

Visitors who showed up at the Weinstein chapel to see the body of the man who killed Lee Harvey Oswald were being told gently the services were private.

A police sergeant and two patrolmen were kept standing by to insure order.

Scores of telephone calls were received at the chapel Wednesday evening. Most were from strangers asking if they could visit.

Half a dozen floral pieces from friends and relatives were sent to the chapel and placed around Ruby's inexpensive coffin.

THE TONE of the funeral -- simple dignity -- was set by Ruby's brothers and sisters, who joined in asking for privacy.

Rabbi

servative ritual and would be brief. He estimated his eulogy will last five minutes.

The body will be laid to rest in a Ruby family plot in the exclusively Jewish cemetery.

Ruby's three brothers will join in the final prayer, the traditional Kaddish, which usually is said by sons of the deceased. Ruby was born in the West.

IT WAS estimated 100 persons will attend the funeral. Many will be friends of Ruby who was born in the Maxwell Street area 55 years ago and grew up in Chicago.

Many will be men he knew as a youngster, when, because of a broken home, he roamed the West Side streets, picking up a dollar when and how he could.

Others will be friends from the days when he moved to the West Coast, put in a hitch in the Army and finally moved to Dallas.

There, with a sister, Mrs. Eva L. Grant, he operated two night clubs in comparative obscurity.

And there, on Nov. 24, 1963, he blasted his way into history by delivering a deadly pistol shot into the midriff of the man accused of killing President Kennedy.

RUBY'S DEATH Tuesday in Parkland Memorial Hospital in Dallas (where both President Kennedy and Oswald died), added another chapter to the ever-increasing drama of the assassination story.

Ruby was admitted to the hospital Dec. 9 and his condition was diagnosed as a terminal cancer case.

At a news conference Wednesday is the funeral home, a brother, Earl Ruby, flanked by three sisters, charged the Dallas police were negligent in handling Ruby's

He charged that for four

daily and his complaints had gone unheeded.

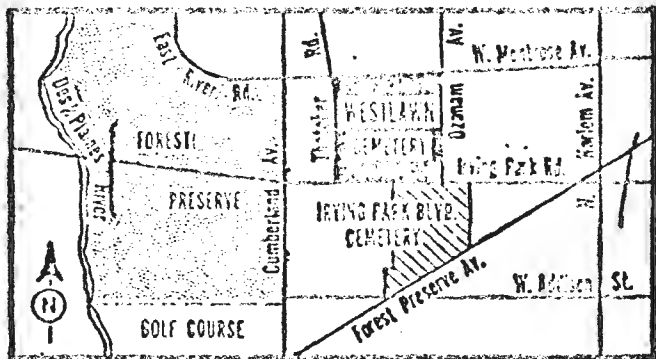
The family also said that Ruby was greatly demoralized in his final months by rumors that he was part of a conspiracy to kill Oswald. They said the charges of a plot "robbed him of the will to live."

Harvey Weinstein, president of the Jewish Community Center of Chicago, said he did not know Ruby's body, later found, day "to move any doubt that the body is Ruby's."

CHICAGO DAILY NEWS
—CHICAGO, ILLINOIS

Date: 1-5-67
Edition: RED DART
Author: J. J. ...
Editor: ROY M. FISHER
Title: ...
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Submitting Office: CHICAGO
☐ Being Investigated

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JAN 5 1967
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Map locates Westlawn Cemetery where Jack Ruby will be buried Friday.

Section, City, and State

Ruby Funeral Set Friday in Chicago

By DON SMITH

John F. Kennedy was buried with all the honor and ceremony befitting his office as President.

Lee Harvey Oswald went to his final rest in such solitude that reporters had to be recruited as pallbearers.

But final rites for Jack Ruby, who sealed Oswald's lips with a bullet and, in turn, was himself silenced Tuesday by cancer, will be somewhere between the two extremes.

Services will be held at 10 a.m. Friday in Original Weinstein & Sons Funeral Chapel in Chicago, where Ruby was born. Only the family and a few close friends will attend.

Burial will be in Westlawn Cemetery there, near the bodies of his parents.

Although the funeral will be private, undertaker Hershey Weinstein said reporters will be permitted to see the body Thursday night to eliminate any doubt that the body is Ruby's.

Also, reporters will be permitted to hear the services, but will be restricted to a small room just off the chapel. No cameras will be allowed.

Announcement of the arrangements stilled rumors in Chicago that the family planned a secret funeral to avoid further publicity.

Ruby's body was flown to Chicago Tuesday night, less than 12 hours after a huge, cancer-caused blood clot broke loose and was carried into his lungs. It was the clot, doctors said, that killed him.

He was accompanied by a brother, Earl Ruby of Detroit, and two sisters, Mrs. Eileen Kaminsky of Chicago and Mrs. Eva Grant of Dallas. Other members of the family met them there.

Even in death, Jack Ruby continued to create controversy.

After the funeral arrangements were announced, Earl Ruby and Mrs. Grant charged that Dallas officials had neglected their brother while he was in jail here.

"For four months, he was throwing up and complaining of feeling ill," Earl Ruby told reporters. "They neglected him for that time."

"There was plenty of neglect there," Mrs. Grant said as she broke into tears.

Local officials denied the accusations.

Both Earl Ruby and Mrs. Grant said they felt Ruby lost his will to live because people would not believe he was innocent of conspiracy in the assassination of Kennedy.

"He didn't want anyone to believe he was part of a conspiracy," Earl Ruby said.

"He was a good American," said Mrs. Grant.

Mr. Tolson _____
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Mr. Tavel _____
Mr. Trotter _____
Tele. Room _____
Miss Holmes _____
Miss Gandy _____

Indicate page, name of newspaper, city and state.

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Date: 1/5/67
Edition:
Author:
Editor: D. Kruger
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Submitting Office: Dallas
☐ Being Investigated

55 JAN 23 1967

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Revolver's Ownership Gets Study

A study by the U.S. Attorney's office here was under way Wednesday to determine the legal ownership of the late Jack Ruby's .38-caliber Colt revolver and other items.

Ruby's death Tuesday made the weapon useless as evidence in the state's second trial of the man who shot and killed presidential assassin Lee Harvey Oswald.

"I have discussed with the district attorney's office matters relating to the .38-caliber Colt revolver introduced in state court as the weapon used by Ruby in shooting Oswald," said Assistant U.S. Atty. Tim Timmons.

Dist. Atty. Henry Wade, noting that he had refused a request for the weapon by Phil Burleson, an attorney for the Ruby family, said he will let the courts decide the owner.

Timmons added that his office is "now studying the matter to determine whether this gun or other items of property which belong to Ruby were considered by the Warren Commission.

"If so, the title to such property may have been transferred to the United States under the public law passed by Congress to preserve items of evidence relating to the assassination of President Kennedy."

One source explained that Ruby's gun, if it has not been considered by the commission, would be nothing more than "a gun" as far as the preservation-of-evidence law is concerned.

"As soon as the question is fully studied and considered," said Timmons, "a determination will be made as to whether the gun and other property should properly be released to Ruby's family or retained by the United States."

Wade said the revolver is locked in a safe in his office.

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Mr. Tavel	_____
Mr. Trotter	_____
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Miss Holmes	_____
Miss Gandy	_____

(Indicate page, name of newspaper, date, city and state.)

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"The Dallas Morning News"
Dallas, Texas

Date: 1/5/67
Edition:
Author:
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55 JAN 23 1967

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Ruby's Burial to Be Family-Only Affair

May Even Bar In-Laws from Attending

Jack Ruby, slayer of the assassin of President Kennedy, will be buried tomorrow beside his parents in Westlawn cemetery after Conservative Jewish funeral services.

The services, described by Rabbi David Graubart as a traditional Jewish ritual of burial, will be closed to all except members of the immediate family.

May Exclude In-Laws

Hershey Weinstein, president of Original Weinstein and Son chapel at 3017 Peterson av., said yesterday the family had not yet decided whether in-laws would attend the service or it would be restricted to brothers and sisters of Ruby.

Ruby, 55, who grew up a poor boy on Chicago's west side and who, his family said, died \$50,000 in debt, will be buried in a special bronze coffin. The body arrived at O'Hare airport at 12:04 a. m. yesterday in a wooden box from Dallas, where Ruby died Tuesday in Parkland hospital.

Weinstein said that he ordered the special coffin as a gift to the Ruby family, his personal friends, but they would not accept either the gift of the coffin or his offer to underwrite the entire funeral expense.

Two in Family III

Three sisters and two brothers of Jack Ruby went to the funeral chapel yesterday to complete arrangements for the service. Another sister and a brother reportedly were ill and unable to attend.

At the funeral, two cameramen were permitted in the chapel but not admitted to

any room containing Ruby's body. Weinstein said that one representative of each major Chicago newspaper would be permitted to view the body tomorrow morning at the same time as members of the family. No pictures will be permitted.

Rabbi Graubart, presiding rabbi of Bet Din of the Chicago Region of the Rabbinical Assembly, and a member of the board of Conservative Rabbis, said that the funeral service would include reading of Psalm 8—"Lord, What is man that Thou takes knowledge of him..." and Psalm 23—"The Lord is my Shepherd, I shall not want."

Both will be taken from the official Jewish version of the old testament published by the Jewish Publication Society of America.

Rabbi Graubart said the eulogy would be "preached about the departed with lessons for the living."

"I want to speak about man in general, who is not really in control of his own destiny. We must be sympathetic to man as a creature of God. We must accept man as he is, and pray for him. I will speak in universal terms but apply the message to Mr. Ruby," he said.

Brother to Pray

At the grave in Westlawn cemetery at 7601 Montrose av., Jack Ruby's three brothers will recite the kaddish, a Jewish prayer which Rabbi Graubart said is similar to the Lord's Prayer.

Ruby's brothers are: Earl Ruby of Southfield, Mich.; Sam Ruby of 6123 N. Hoyne av., and Hyman Rubenstein of 1044 Loyola av. His sisters are Mrs. Eileen Kaminsky of 6742 N. Talman av.; Mrs. Ann Volpert of Chicago; Mrs. Marian Carroll of 1044 Loyola av.; and Mrs. Eva Grant of Dallas.

Earl Ruby and Mrs. Grant told reporters that mental anxiety rather than cancer or a blood clot was the real cause of their brother's death.

"This mental anxiety robbed him of his will to live," they said. "The one thing that bothered him most was that anyone could think he was associated in a conspiracy to kill the President. He wanted people to believe he never knew Oswald."

They said their brother died "a tormented and disturbed man." They pleaded with the public to permit him "to be laid to rest in peace."

Four policemen were stationed at the funeral chapel yesterday, but Comdr. Harry

O'Donnell of the Foster avenue police station said this detail would be reduced to one policeman on each shift during the hour of the funeral service.

O'Donnell said the funeral home had received a lot of "crank" phone calls concerning Jack Ruby, but none that he considered threatening. Weinstein notified police that on Tuesday night he received a call from an unidentified man in Dallas who asked if he had arranged for security for the funeral. Weinstein said he replied that he had not.

"You should have security. You might have a rough time," Weinstein said the caller told him.

Weinstein said he expects no trouble in connection with the funeral. "Idly curious persons will have no chance to make a spectacle of the event. There will be no visitation. The coffin will remain closed except for the time it is opened for newsmen and family members tomorrow morning shortly before the funeral service. It will be closed during the service and will remain closed."

Charge Police Neglect

(Indicate page, name of newspaper, city and state.)

12

CHICAGO TRIBUNE
CHICAGO, ILLINOIS

1-5-67

Date:

Edition: 3 STAR FINAL

Authors:

Editor:

W.D. MAXWELL

Title:

JACK RUBY

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44-645

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JAN 5 1967
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Earl Ruby said the family feels that Dallas police "definitely neglected" their brother by not providing him medical care in "the four months from the slaying of Oswald, Nov. 21, 1963, to Ruby's trial for murder. He said Jack Ruby, during that time, was afflicted with frequent vomiting.

He said that Jack Ruby died \$50,000 in debt—most of it in legal fees and hospital costs. Earl said he would assume the debt and also the funeral expense, which Weinstein said would be about \$1,500.

"They want no charity nor gifts," said Weinstein, who said he had known Jack Ruby since he was 12 years old and had been a long time friend of all members of the Ruby family.

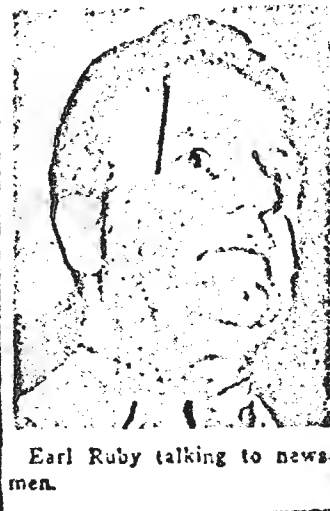
Tells Taping Incident

Earl said that he himself took a tape recorder into his brother's room in Dallas to make about a three minute recording during which Jack insisted he had no part at all in any conspiracy against President Kennedy.

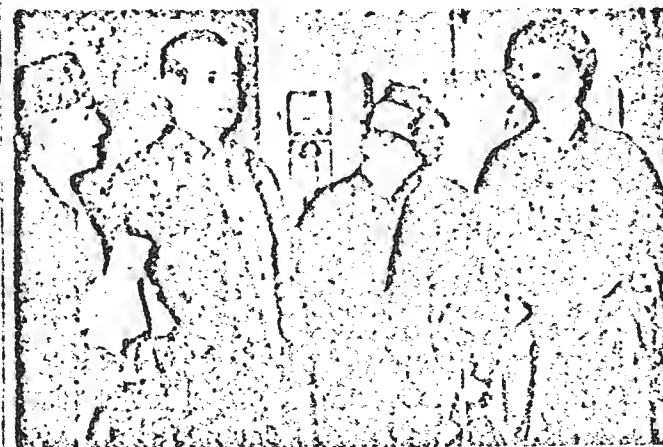
The brief recording by Jack Ruby will be incorporated into a 45 minute recording called "The Controversy" which is scheduled to be issued by Capitol Records. Sam Ruby said a certain share of the profits that would have gone to Jack Ruby would be offered instead to the John F. Kennedy Memorial library. There was an indication, however, that Jack Ruby's professed admiration for President Kennedy could not be demonstrated this way. The Kennedy Memorial library does not accept gifts from commercial undertakings.



Family burial plot in Westlawn cemetery, 7801 Montrose av., where body of Jack Ruby is to be interred. Flat slabs at ground level (arrows) mark graves of Ruby's father and mother, Joseph and Fannie Rubenstein.



Earl Ruby talking to newsmen.



Mrs. Eva Grant (left), of Dallas, Sam Ruby, Mrs. Ann Volpert, and Mrs. Eileen Kaminsky (right), all of Chicago, brother and sisters of Jack Ruby, outside chapel at 3019 Peterson av. [TRIBUNE Staff Photos]

(Mount Clipping in Space Below)

Ruby Goes Home

By BAY BELL

Staff Writer

Jack Ruby—a lonely little man who wanted class—was never more alone than during his final hours in Dallas.

He was, in fact, completely alone.

Ruby's body, closed in a gray metal casket with brass trim, was taken to a Dallas funeral home after his death Tuesday in Parkland Hospital.

But there the usual routine was broken.

Instead of being taken to a "lumber room" where grieving relatives could gather to pay last respects, Ruby's casket was placed in a curtained black limousine parked in a spacious garage at the rear of the funeral home.

It remained there until about 9:15 p.m.

THERE WERE NO friends, no relatives and no guards. There was just the sleek black car, gleaming brightly in the harsh garage lights, and the shadowy gray casket which loomed behind curtained windows.

Funeral home officials, however, said the evening did not pass without incident.

"We had quite a few harassing phone calls," they reported. "Most of the people just wanted to know details of the service, but a few got a little nasty."

Shortly after 9:15 p.m., the black limousine eased from the garage and started upon Ruby's last journey in Dallas.

The trip was to Love Field.

WAITING at the airport was one of Ruby's brothers—Earl Ruby of Detroit—and two of his sisters, Mrs. Eva Grant of Dallas and Mrs. Eileen Kaminsky of Chicago. They were to accompany the body to Chicago, where funeral services are scheduled.

Also waiting at Love Field were about a dozen reporters and photographers.

The newsmen took a few photos and asked a few questions. But they didn't say much. At this particular stage, there just wasn't much to say.

FINALLY THE FLIGHT arrived. It was an American Airlines plane, and it was en route from Acapulco to Chicago. The passengers, in a festive mood, apparently had enjoyed their Latin American holiday. Many were still dressed in large straw hats and print dresses.

The casket was ~~loaded~~ onto the plane before the doors were opened to passengers.

Then, as the passengers started leaving the craft, one of them—an attractive woman, neatly dressed in a smart wool suit—noticed the newsmen.

"WHAT'S HAPPENING out here?" she inquired. "Is Lynda Bird (Johnson) coming in?"

It was a few minutes before anyone answered.

"No ma'am," one of the newsmen finally muttered. "It's just Jack Ruby . . . he's going home."

A few moments later, Earl Ruby, Mrs. Grant, and Mrs. Kaminsky boarded the plane. It arrived at Chicago's O'Hare International Airport at 12:04 p.m. (EST.).

Jack Ruby, the lonely little man who wanted class, had returned to the city of his birth.

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20A

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THE LONG RIDE HOME

Three of Jack Ruby's relatives—Mrs. Eileen Kaminisky of Chicago, left, Earl Ruby of Detroit, and Mrs. Eva Grant of Dallas—sat quietly at Dallas' Love Field Tuesday night as they waited for the airplane that was to take their brother on his final trip. Jack Ruby, the 35-year-old nightclub owner once convicted of killing accused presidential assassin Lee Harvey Oswald, died Tuesday in Parkland Hospital as he awaited a new trial.—Staff Photo.

(Mount Clipping in Space Below)

Legal Verdict On Jack Ruby Never Decided

One of the largest and most involved cases in the history of Texas criminal law ended with the death of Jack Ruby.

Even so, it was not resolved. It dragged more than three years—through one trial, assorted hearings, motions and appeals.

But more mortals were never to return the final verdict. At the time of his death, Jack Ruby was an "innocent" man.

A reversal by the Texas Court of Criminal Appeals had returned the case to the "innocent until proven guilty" status.

And now, according to Dist. Atty. Henry Wade, even the murder indictment against Ruby will be "routinely" dismissed.

"In any case where the defendant dies, the state files a motion for the judge to dismiss the indictment," Wade said. "Since the indictment is pending in Wichita Falls, the motion to dismiss will have to be filed by the district attorney there."

Ruby was to have been tried again — this time in Wichita Falls—for the slaying of accused presidential assassin Lee Harvey Oswald. The trial was to have been set early this year.

But that possibility, like so many others, died with Ruby.

WICHITA FALLS Dist. Atty. Stanley Kirk, the man who was to have directed prosecution in the new trial, Wednesday said he "hadn't really thought" about legal steps still remaining to wind up the Ruby case.

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do (in Dallas)," Kirk said. "I'll just ask Henry (Wade) what he wants to do and how he wants to do it."

Ruby was asked if the process were to dismiss indictments in cases terminated by the defendant's death.

"That's right," he said. "We had about four or five of them last year, and we did the same thing on all of them."

He did not indicate, however, when such action might be expected.

But while prosecuting attorneys pondered the next—and apparently the final—step in the lengthy proceedings, some authorities on criminal law viewed the Ruby case in retrospect and said they believe the entire process deteriorated into a tragic three-ring circus.

"I SIMPLY can't see how some of his lawyers can maintain they actually had Jack Ruby's best interests at heart," one attorney commented. "With some of them, everything they did was for publicity—they were looking out for themselves instead of Jack Ruby."

The chronology of the case went like this:

Nov. 21, 1963—Ruby shot Lee Harvey Oswald.

Nov. 26, 1963—Ruby was indicted for the murder of Oswald and the trial was set in Judge Joe B. Brown's Criminal District Court for Dec. 9, 1963.

Dec. 3, 1963—Dist. Atty. Henry Wade and attorney Tom Howard, then representing Ruby, agreed to a continuance until February (1964) and Judge Brown authorized the postponement.

DEC. 23, 1963—A Dallas psychiatrist examined Ruby and said he found no trace of insanity as attorneys gave first indications they might use that strategy in defending the balding nightclub owner.

DEC. 23, 1963—a bond hearing for Ruby stretched over three and one-half hours, then was postponed until Jan. 10 (1964) in view of testimony and the upcoming holidays.

Jan. 3, 1964—Judge Brown ordered a two-week delay (until Jan. 21) in resuming the bond hearing.

Jan. 7, 1964—The bond hearing was changed again, this time to Jan. 20.

Jan. 19, 1964—Prosecution and defense attorneys agreed that Jack Ruby be submitted to extensive brain tests and named Dr. Martin Towler, professor of neuropsychiatry at the University of Texas Medical School, to conduct the examinations.

Jan. 21, 1964—The bond hearing was dropped; Ruby attorneys requested change of venue hearing and Judge Brown scheduled it for Feb. 10.

Feb. 10, 1964—A change of venue hearing began.

Feb. 15, 1964—Judge Brown announced jury selection would begin Feb. 17 and withheld his ruling on the change of venue motion until efforts were made to get a jury in Dallas.

Feb. 17, 1964—Jury selection began.

March 4, 1964—Testimony started after last juror was selected.

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MARCH 11, 1961—Jury returned its verdict: "We the jury find Jack Ruby guilty of murder with malice aforethought and assess the penalty of death . . ."

March 20, 1961—Ruby's attorneys cited 36 reasons in asking for a new trial.

April 27, 1961—Judge Brown turned down a request to move Ruby to a hospital for further mental tests as the condemned man's sister, claiming he was insane, filed a request for a jury hearing on his mental state.

April 29, 1961—Judge Brown denied motions for new trial.

July 28, 1961—Defense attorneys took first steps toward preparing legal instruments supporting their contention that the death sentence should be reversed by the Texas Court of Criminal Appeals.

Aug. 7, 1961—Judge Brown refused to approve any of 15 formal bills of exception raised in Ruby's appeal.

FEB. 21, 1965—Possibility of another jury trial for Ruby loomed suddenly as the Texas Court of Criminal Appeals referred the question of Ruby's sanity to a district court at Dallas.

MARCH 2, 1965—A jury trial for Jack Ruby was set for March 29.

March 21, 1965—The sanity trial was postponed pending a ruling by the 5th Circuit Court of Appeals as to whether the proceedings stayed in state courts or—as was requested by an attorney for the Texas Civil Liberties Union—were transferred to a federal court.

April 23, 1965—A federal appeals court at Jacksonville, Fla., declined to enter the case.

June 12, 1965—Defense Attorneys brought action seeking to remove Judge Joe B. Brown as presiding judge because he was writing a book about the Ruby trial, and thus had a monetary interest in the case.

Sept. 10, 1965—Judge Brown withdrew from the case and was replaced by visiting Judge Louis T. Holland of Montague.

June 13, 1966—The long-delayed sanity hearing was finally held in Dallas and a seven-man, five-women jury found Ruby sane after brief deliberation. It cleared the way for the Texas Court of Criminal Appeals to rule on the Ruby case.

Oct. 3, 1966—The Texas Court of Criminal Appeals unanimously reversed Ruby's conviction.

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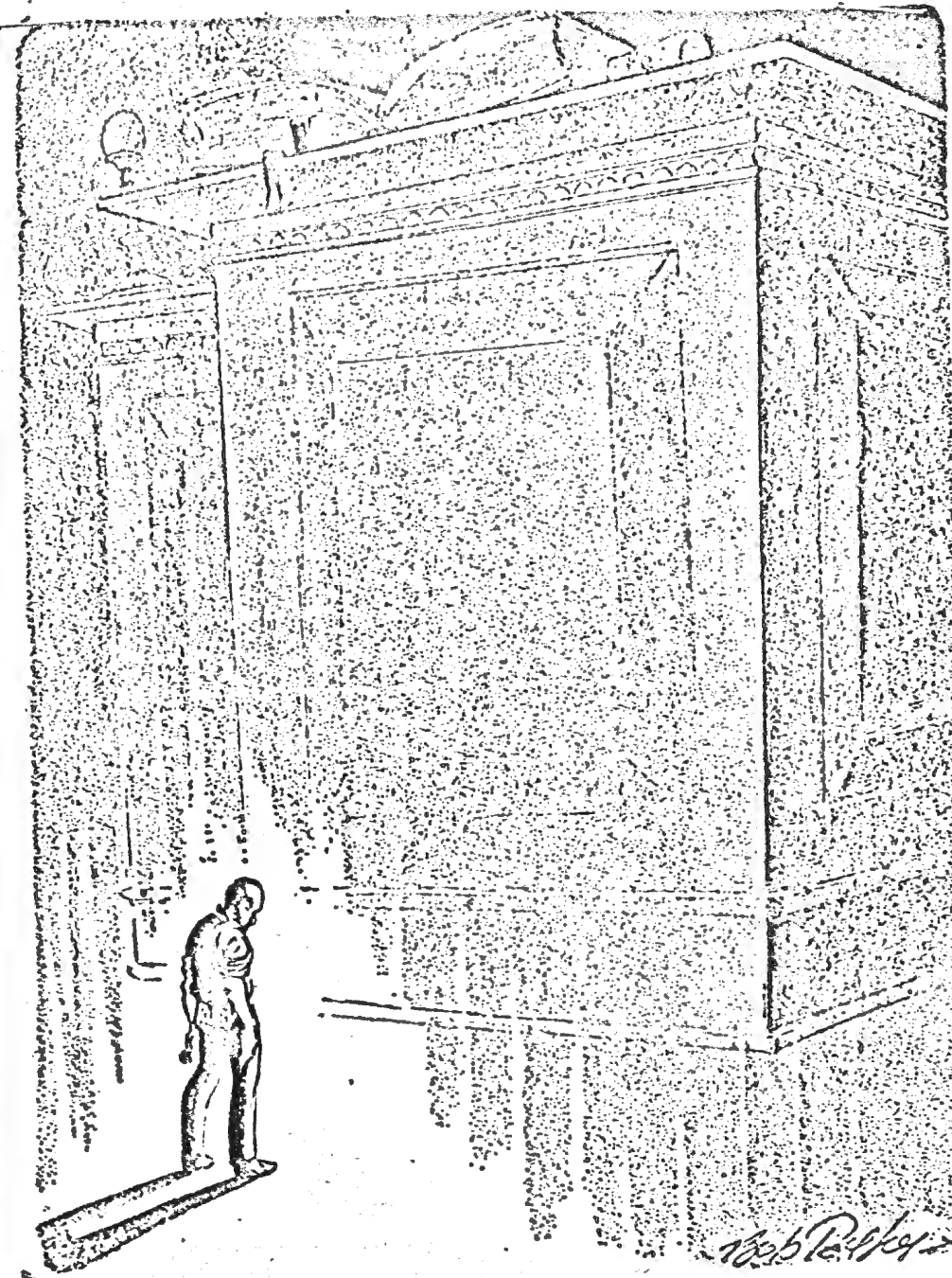
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Change of venue

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Ruby's 'Turn' Of Fate

Special to Times Herald

NEW YORK—"The ironic part of this is that if I hadn't made an illegal turn . . . I would have never met this fate."

Those words, crackling slowly from a small spool of recording tape, are among the last the world will ever hear from Jack Ruby.

The tape — a portion of a 12-minute interview reportedly recorded by Ruby at his room in Parkland Hospital — was played before a press conference at Hotel Americana here Tuesday afternoon.

CAPITOL RECORDS CO., which claimed it obtained the tape through Ruby's relatives, played a four-minute segment during the press conference. The company said it has been told

"The ironic part of this is that if I hadn't made an illegal turn behind the bus to the parking lot, had I gone the way I was supposed to go — straight down Main Street — I'd have never, I would never have met this fate. Because the difference in meeting this fate was 30 seconds one way or the other."

RUBY ALSO POINTS out that he knew Oswald "was supposed to be moved (to the County Jail) at 10 o'clock."

"It was pure coincidence that I wound up at City Hall," he said.

The actual transfer of Oswald to the Dallas County Jail did not begin until more than an hour after the announced time. The shooting occurred at 11:25 p.m. on Nov. 24, 1963.

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shooting him in the
Dallas City Hall
"I'd never known him, or seen
him before," Ruby replied.
about 1 point 11.25

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Ruby's Act Impulse, Dann Says

DETROIT (UPI) — Lawyer Sol Dann said today Jack Ruby shot Lee Harvey Oswald after hearing someone yell, "Why doesn't somebody shoot that S.O.B.?"

Dann, who helped in the drive to nullify Ruby's murder conviction, described Ruby as a man "who always acted the part of that which he could not, but hoped, to be."

DANN SAID that when Ruby heard yells from spectators as Oswald was being transferred to the Dallas County Jail he couldn't resist shooting him.

Dann said Ruby's killing of Oswald was an "irresistible impulse."

Dann described what Ruby told him about shooting Oswald.

"Ruby said after he sent \$25 to a girl he knew in Fort Worth he was heading back to his car where his five dogs were. He saw a crowd of people.

"Now bear in mind that this was at 11:12 (a.m.) and Oswald was supposed to be transferred at 10:00 (a.m.).

"RUBY THOUGHT Oswald had already been transferred, but because of his nature, he wanted to see what was going on. He crossed the street and walked into the basement of the jail. The entrance was unguarded.

"Ruby said he kept hearing shouts saying, 'why doesn't somebody shoot that S.O.B.?'"

"When Ruby was brought back pulled

out his gun—he always carried a gun—and began shooting.

Dann said that "anyone in his right mind wouldn't enter a jail with \$2500 and try to kill a man as well protected as Oswald was.

"Ruby had made no plans for a getaway.

"It was just an irresistible impulse," Dann said.

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EVIDENCE LOCKED UP

Battle Looms For Ruby's Gun

By BEN STEVENS
Staff Writer

A dispute over the disposition of Jack Ruby's pistol and other evidence in his murder case

loomed Wednesday between the Justice Department and the dead man's estate.

Dist. Atty. Henry Wade said he was contacted Tuesday by a Ruby lawyer who asked for the pistol. Wade refused the request.

Asst. U.S. Atty. Jim Timmins said he was studying the special law under which the federal government gained possession of Lee Harvey Oswald's weapons to see if it applied to the Ruby evidence.

"I AM NOW studying the question of whether some or all of the Ruby evidence was taken under the law," Timmins said.

Wade said the .38 caliber Colt Cobra revolver Ruby used to kill Oswald is in actual custody of the Court of Criminal Appeals in Austin.

In reality, a source said, the weapon along with other evidence in the case is under lock and key at the Dallas County Courthouse.

THE SMIBNOSE pistol carried into the police department basement is expected to rank as high a collector's item as Oswald's Italian-made rifle, used to slay President John F. Kennedy, and the .38 caliber pistol used in the killing of powerman J. D. Tappan.

A federal court has awarded these weapons to the government under provisions of the law passed to preserve evidence in the assassination.

Wade said he would let a court decide who should receive the Ruby pistol.

"I PERSONALLY think it should be in the National Archives with the Oswald gun," Wade said.

Phil Burleson, one of Ruby's defense lawyers, said he had asked for the gun when he came to the courthouse to pick up personal effects from Ruby's cell. Burleson said, however, he has not been retained as an attorney for Ruby's estate and does not know what steps will be taken by Ruby's family to secure his property.

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World Headlines Report Ruby Dead

RUBY INTERNATIONAL

The world reacted to the death of Jack Ruby in banner headlines today, many of them reviving suspicions of a Dallas conspiracy.

In some quarters, Ruby's death set off a new round of doubt, rumor and speculation concerning whether a conspiracy was involved in the assassination of President John F. Kennedy.

Paris newspapers hinted that Ruby's passing may prevent "the truth" about the assassination from ever becoming known.

"JACK RUBY took his secret with him," headlined the tabloid Paris Jour over a story that asked: "Was Lee Oswald really the killer of Kennedy? Or was there, as many Americans feel, a plot in Dallas?"

While the London Times reported Ruby's death straightforwardly, the mass circulation newspapers in Britain used it as one more straw in building the fabric of mystery around the assassination.

"Ruby's death removes the last link in the controversy over whether there was a conspiracy," the London Times said.

The Sun splashed the headline: "Mystery of Ruby Death." It said Ruby died "when many people were questioning whether he was one of a ring of conspirators behind the shooting of the President."

THE SUN QUOTED "people who saw him near the ~~end~~ ^{end} saying, 'he insisted that cancer cells had been injected into him in prison.'"

The Guardian headlined, "Ruby Is Dead—in JFK's Hospital," and said Ruby had "shot and killed the assassin of President Kennedy."

The Daily Mirror's front page headline said, "Tape Drama as Jack Ruby Dies," and its rival, the Express, reported: "Deathbed Voice Recalls Moment of a Killing."

In contrast, Japanese newspapers reported Ruby's death briefly. The news had reached Japan barely in time for the late Tokyo city editions of the Japanese language papers. The story was printed in inside pages, saying that Ruby died of cancer at the same Dallas hospital in which Kennedy and Oswald died.

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DIDN'T NEED HEADLINE

For Mrs. Eileen Kaminsky of Chicago, The Times Herald headline reading, "Ruby Is Dead," only served to emphasize a point she already knew too well. Mrs. Kaminsky, a sister of Jack Ruby, was with her brother when he died and was one of three members of the family to accompany the body back to Chicago.—Staff Photo.

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—Staff Photo
Dr. Eugene Frenkel, head of the medical team which struggled to save Jack Ruby, and Dr. Earl Rose, county medical examiner, detail Ruby's last hours.

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'Time Running Out,' He Said

By JIM FEATHERSTON
Staff Writer

Jack Ruby was often wrong but he was dead right when he indicated to startled newsmen nine months ago that he was not long for this world.

"My time is running out," he blurted out to reporters at a hearing March 31, 1966.

Did he then have a premonition of his pending fatal illness?

OR DID HE feel that he would die in the electric chair for the slaying of Lee Harvey Oswald, the accused assassin of President Kennedy?

"I am breathing toward my last breath. I was set and tried the moment I walked down that ramp," Ruby said. He meant the ramp into the basement of Dallas police headquarters where he gunned down Oswald Nov. 21, 1963.

No one will never know for sure just what Ruby meant when

he said his "time was running out" nine months ago. His time ran out Tuesday when he died of cancer at Parkland Hospital.

MARCH 31, 1966 was the last time Ruby talked to reporters. Interviews with Ruby were refused at a later hearing in June, 1966, during which he was found sane.

Ruby lived on the edge of the underworld but he had never been in real trouble before he killed Oswald. And some who knew him said he longed for a brighter place in the sun.

There are those who believe he hungered for headlines and a niche in history and that's why he killed Oswald. His irrational act in killing Oswald earned him both, but the headlines and his place in history lack the heroic quality Ruby was seeking.

Heroism may be what Ruby sought but what he got was notoriety. And he dearly paid for it.

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Hidden Tape Tells His Story

By HENRY MACHIRELLA

News Staff Correspondent, who was on the scene when Ruby shot Oswald
Within hours after his death yesterday, Jack Ruby's voice—recorded secretly in the same Dallas hospital room where he died—was heard denying any complicity between himself and President Kennedy's assassin, Lee Harvey Oswald.

The recording, arranged by Capitol Records as part of an album called "The Controversy," is purportedly the only one made of Ruby's own story. It was played for the press yesterday at 2 P.M. in the Americana Hotel here. Ruby died at 11:30 A.M. at Parkland Memorial Hospital.

Again breaching Dallas police security, the tape was made with a recorder hidden in an attache case, while one unwitting policeman was in Ruby's room and two were standing outside the door.

How He Got Into HQ

Ruby's account of how he got into the basement of Dallas Police Headquarters begins with his mention of going to a nearby Western Union office. (It was learned at the time, Nov. 24, 1963—two days after the Kennedy assassination—that he went there to send some money to a girl who formerly worked in his night club.)

He also explains that if he hadn't made a wrong turn behind a bus he would have missed Oswald by a matter of seconds. He then parked in a lot directly

across the street from police headquarters.

Ruby, on his way from the Western Union office on the same block as headquarters, tells of seeing a police car at the head of the ramp and an officer leaning over talking to the driver.

Just Walked Down

Ruby said: "So I walked towards the ramp. I noticed the police car. All I did is walk down there, down to the bottom of the ramp and that's when the incident happened. At the bottom of the ramp."

Q. Did you recognize anyone beyond when you reached the bottom of the ramp? A. No, but I recognized the police officer in the car. That was in the car. He was Lt. Sam Pierce. And this other man was just talking to him.

Q. When did you finally realize that something had happened? A. Well, it happened in such a blur that, before I knew it I was down on the ground. The officers had me on the ground.

Q. Did you realize you had done anything? A. Well, really it happened so fast and everything else, I can't recall what happened from the time I came to the bottom of the ramp until the police officers had me on the ground.

Revelation by Ruby

These facts leading to the killing of Oswald were never before heard from Ruby himself, since he did not testify at his Dallas trial where he was sentenced to death.

(I was within 15 feet of Ruby when he darted out of a crowd of newsmen and pumped a fatal shot into Oswald's stomach. Seconds later I was pushed forward and nearly stumbled over a tumbling fedora initiated with J. R. on the inner hatband.)

(I have always believed Ruby's entrance to the basement was made the way he tells it. Except for the police car and its driver he said was at the head of the ramp on Main St. and the other officer, the crowd of onlook-

lookers and major security forces were a block away at the Commerce St. entrance.)

Time of the Recording

The record was alleged to have been made between Dec. 15 and 18 with the knowledge of Ruby's family and their attorney, Elmer Gertz. Capitol Records also claims that certain members of the Warren Commission were aware of the plan to make the record.

The ruse to get the tape recorder into Ruby's hospital room was made with his knowledge. Carried in by his brother, Earl,

the attache case containing the recorder was placed on an air conditioner near Ruby's bed.

Earl then told Ruby in Yiddish: "Jack, in the briefcase, the tape recorder is hidden here. Talk into it."

Interviewer Not Identified

The interviewer was never identified, but in the room were his brother and his attorney.

When asked if he always carried a gun, Ruby said:

"Yes I did. I always carried a gun because of altercations I had in my club. And I carried pretty large sums of money at

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The Baltimore Sun _____
The Worker _____
The New Leader _____
The Wall Street Journal _____
The National Observer _____
People's World _____
Date _____

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times. The ironic part of this is that if I hadn't made an illegal turn behind a bus to the parking lot, had I gone the way I was supposed to go—straight down Main St.—I'd of never, I would never have met this fate. Because the difference in meeting this fate was 30 seconds. One way or the other."

Capitol Records says another person who was heard on the recorded album, in addition to Gov. John Connally of Texas and members of the Dallas police force, was an eyewitness to the assassination who never appear-

ed before the Warren Commission.

She is Mrs. Carolyn Walther, a housewife.

She tells of seeing a man with a gun in a kneeling position with his arms resting on a window sill and another man standing beside him.

Mrs. Walther continued: "And I heard one shot, and I thought at the time the first shot was a firecracker, and after the last car passed . . . and two more shots, and then seconds later, one more."

It is known that many such stories from so-called eyewitnesses were told to the FBI, but for some reason they were later discounted and the persons never testified further.



(UPI Telefoto)
Producer Lawrence Schiller holds record and stands at tape machine during press conference at the Americana Hotel.

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Jack Ruby p-11

Jack Ruby is dead. One wonders if there ever penetrated into his confused and clouded mind any dim perception of the great injury he did his country. His crime, added to the awful crime of the assassin he killed, was almost more than the people of this land could bear. His misguided act unloosed upon the world clouds of conjecture that, as the result of Oswald's death, probably never can be dissipated.

There will be profits to be made, for decades to come, by the publication of the foulest and wretchedest insinuations and suggestions, the coarsest and most improbable inferences and allegations, the meanest and most extravagant imaginings and hallucinations. By his very dying, Ruby will set loose another torrent of these malicious speculations. Nothing will quiet them. No testimony will still them. No evidence will remove them. No persuasion will silence them. On and on the tide of wicked drivel and billingsgate will roll, divesting great names of dignity, great deeds of grandeur and great periods of our history of their glory.

What punishment could be adequate for so heinous a crime, so vast an injury, so great a libel upon the good name of a fair country? So he goes to his grave unpunished. Actually, he obtained by his senseless act, more than he could have otherwise achieved. It was his triumph to become a footnote—an infamous and notorious footnote—to history.

The Washington Post and Times Herald ☒
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 New York Daily News _____
 New York Post _____
 The New York Times _____
 New York World _____
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 The Baltimore Sun _____
 The Worker _____
 The New Leader _____
 The Wall Street Journal _____
 The National Observer _____
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Ruby Death Expected To Refuel 'Mongers'

Los Angeles Times

LOS ANGELES, Jan. 3 mission staff questioned him Jack Ruby's death probably in Dallas. "When we examined Jack Ruby in jail, in my opinion he was not mentally in condition to respond to questions," Ball said.

The veteran attorney said another investigation of the assassination would only be called for if additional evidence was uncovered.

And he said none of the "half-baked arguments from dishonest critics" has produced any new evidence.

"All of these critics are only rehashing arguments we considered and rejected over two years ago," Ball pointed out. "It is scandalous to me that these men dare to infer fraud, with no evidence to base it on . . . their record is dishonest . . . a completely dishonest presentation of the evidence."

Ball said he last saw Ruby in June, 1964, when the Com-

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JAN 4 1967

(Mount Clipping in Space Below)

'Believe Me,' Jack Ruby Begged

Jack Ruby denied it to the edge of death.

But even his family couldn't help asking, because so many other people seemed to be asking, whether he really acted alone and not as part of a conspiracy to kill the accused assassin of President John F. Kennedy.

And so, near the end, Earl Ruby asked his brother again, as he had many times before:

"Are you sure, Jack, there was nothing else?"

And Jack Ruby answered, says his brother:

"I'm not hiding anything. I'm not protecting anybody. There is nothing to hide, no one to protect. Believe me."

As he lay in his guarded room in Parkland Hospital, stricken with cancer, Jack Ruby often seemed to be begging the world to believe he would take no secrets to the grave.

He also was tormented by hallucinations in which he imagined that millions of American Jews were being slain because he, a Jew, silenced the alleged killer of a president.

Ruby could be rational on certain levels and wholly irrational on others, according to those closest to him.

Ruby insisted that he alone, without plan or prompting, shot Lee Harvey Oswald.

He swore also that rumor of secret meetings relating to the President's assassination, the killing of Dallas policeman J. D. Tippit and the slaying of Oswald were lies invented by "monserem," a Yiddish epithet.

Three details of Ruby's last days came from his brother, Earl, a Detroit businessman; Elmer Gertz, a Chicago attorney prominent on the legal team which won reversal of the death sentence given to Ruby in 1964, and, through them, from other members of the family.

The Ruby murder trial and the Warren Commission report supported conclusions that Ruby acted alone in shooting Oswald.

But a rolling controversy about the Warren Report has produced various theories of conspiracies — some of which give Ruby a hidden role. However, Gertz said:

"He simply could not conceive that people could not see that he not only acted alone, but that they could take this and twist it into a premise for giving him

a role in a plot against the president, a man he worshipped."

Jack Ruby sought no forgiveness for shooting Oswald.

Gertz explained:

"I don't think Jack mentioned his name more than a few times in the many times I saw him, and then it was as if Oswald was a figure beyond his comprehension. Jack saw himself as a kind of instrument. He did not have the delusion that God told him to do it, or that he was an instrument of any people, but that it happened without his conscious will."

But Jack Ruby sought forgiveness from America's Jews. He was convinced that his crime had triggered a pogrom in which Jews were being transported to Dallas and tortured to death in the basement of the Dallas County Jail.

"That is not true, Jack. It is not true," Earl told him.

"Don't tell me! Don't tell me! I hear screaming from the basement every night."

Jack Ruby also complained that his cancer was induced secretly in jail. When it was thought that he had pneumonia, he took this as proof that mustard gas was seeped into his cell. When his condition was diagnosed as cancer, he was certain it had been injected into him.

However, his family praised the treatment Ruby received in Parkland, although they complained that his condition had been neglected or brushed off as "hamming it up" in jail.

Jack Ruby spent his last day in a large private room which had one wall dominated by a wide window. A nurse and two deputy sheriffs were always on duty. Ruby spent hours watching television.

On Saturday afternoon, Dec. 17, he felt so good, he motioned for his sister, Eileen Kaminski, to come to his side.

"Eileen, do me a favor," he asked.

He handed her a list for pasta, corned beef, kosher dill pickles, rye bread, lox, cream cheese, green onions and bagels.

"The doctors didn't object," said Elmer Gertz. "Of course, Jack couldn't hold that food down, but to deny it to him would be like denying a condemned man his last meal."

Near the end, his mood—according to the family—changed to one of "black despair."

And he whispered that he didn't want to die far from home. Home, for Jack Ruby, was Chicago, the city of his birth.

(Indicate page, name of newspaper, city and state.)

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"The Dallas
Morning News"
Dallas, Texas

107 CLIPPER
DATED 1-3-67
"Dallas"
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Date: 1/4/67
Edition:
Authors:
Editor: Jack B. Kruger
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Submitting Office: Dallas
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67 FEB 1

To his brothers and sisters, Jack Ruby was to the end a "fine, sympathetic, generous man." They were convinced his shooting of Oswald was an impulsive act and that Jack did it entirely alone.

Attorney Gertz and Earl Ruby said Jack was fully aware of the controversy about the Warren Report.

"He knew of the incredible constructions by various critics in which it was hinted that there were secret meetings that Jack might have had connections with Oswald or with J. D. Tippitt," Gertz said.

One day in December, Gertz asked Ruby:

"Jack, tell me, did you know Tippitt? People keep on saying you knew him."

"First of all," Ruby said, "there were three Tippitts in the police department. The one who was shot I never knew, never heard of. One of the other Tippitts I knew."

"What about Oswald? Was he ever in your nightclub, did you ever meet him or see him?"

"The first time I ever saw Oswald was in the jail after he was arrested. I never saw him in my club and I never met him before in my life," Ruby said.

A few weeks after the 55-year-old Ruby was found to have cancer, he expressed a wish to take a lie detector test to prove that all he said was true. His worsening condition precluded such a test.

He had received such a test from representatives of the Warren Commission on July 18, 1964. No interpretation of that test was made, on the ground that the results were questionable because of Ruby's emotional condition.

Ruby, who generally viewed accomplished and cultured people as inhabitants of a remote world, had an uncharacteristic reaction to a meeting with U.S. Chief Justice Earl Warren on June 7, 1964.

During the interview, according to attorney Gertz, Warren asked Ruby to read something.

"I can't. I don't have my glasses," Ruby replied.

Warren removed his spectacles and handed them over. Ruby then read the passage without difficulty.

Months later, Gertz asked Ruby what he thought of the chief justice.

"Oh, he's such a wonderful man," Ruby answered. And then he added confidentially, "But he's so naive."

Transcripts of the Warren interview show Ruby repeatedly saying he had more to tell, but that he would have to be taken from Dallas. He wanted to go to Washington.

"The things he said to me in utmost secrecy were things that could be said anywhere, Dallas or Washington," Gertz said. "I could not enter his mind, but I am certain to my satisfaction that there was no more to tell. Jack confabulated. He tried to insinuate knowledge."

Did Ruby have appreciation of the calamity he caused history by shooting Oswald?

"As for the impact on history, that was much too sophisticated a concept for him," said Gertz. "It really did not register in any meaningful way with him."

Gertz, who like the other lawyers served without fee, was asked:

Was he satisfied that Ruby died telling the truth?

"Yes," he said.



—Dallas News Staff Photos.

Death Completes the Triangle

The death Tuesday of Jack Ruby, right, killer of Lee Harvey Oswald, left, wrote finis to one of the biggest stories of the decade, if not the

century. The pair flank President John F. Kennedy, victim of an assassin's bullet here Nov. 22, 1963. Oswald was accused.

(Mount Clipping in Space Below)

Death of Ruby Closes Assassination Triangle

Oswald's Slayer Dies Of Blood Clot, Cancer

Jack Ruby, the third and final major figure in the assassination of President Kennedy, died at 10:30 a.m. Tuesday in Parkland Memorial Hospital.

His death closed the triangle and left unanswered forever many of the questions surrounding the death of the president and Ruby's subsequent slaying of Lee Harvey Oswald, accused assassin of the president.

Doctors attributed Ruby's death to a blood clot in the lungs, but noted that the massive cancer that filled his body was at least a contributing cause.

His family took charge of the body and announced that funeral services will be held in Chicago. The short, stocky little night-

club operator will be buried there, near the bodies of his parents. The body was flown to Chicago Tuesday night.

THE TIME of the funeral was pending late Tuesday night.

Jack Ruby was born March 25, 1911, in Chicago. But his life—as far as the general public was concerned—never really began until the morning of Nov. 24, 1963.

It was that morning that Ruby stopped in the basement of the Dallas City Hall to watch with hundreds of reporters as police began the transfer of Oswald to the county jail.

Ruby, with a hat pulled low on his head, suddenly stepped forward just as Oswald

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appeared, hands manacled together and with a detective at each arm.

Gun in hand—he said he always carried it because he often had to handle large sums of money—Ruby fired one shot into Oswald's side. The suspected assassin slumped to the floor.

OSWALD WAS RUSHED to Parkland Hospital, where he died in an emergency room directly across the hall from where President Kennedy had been pronounced dead.

Ruby was arrested, charged with murder, tried and convicted.

But even facing death in the electric chair, Ruby for the first time found the fame that had eluded him for the first 52 years of his life. Although he was never again to spend a day as a free man, he had achieved a pinnacle of publicity few men ever reach.

The conviction later was reversed, but it made no difference in the life of Jack Ruby.

RUBY INSISTED throughout his trial, and until his death, that he shot Oswald on impulse.

His last known discussion about the case, revealed only Monday, was in a taped interview included in a Columbia Records album about the assassination. The record has not yet been released.

"It happened in such a blur that before I knew it, I was down on the ground. The officers had me on the ground. I don't recall what happened between the time I walked down the ramp (into the police station basement) and was on the floor," Ruby says in the recording.

"It happened so fast, I don't recall what happened."

ONE OF THE ATTORNEYS who defended Ruby said he agreed that the shooting was a reflex action by a man who was in an emotional blur because of the death of the president.

"I don't believe Jack Ruby carried any secrets to his grave," said lawyer Joe Tona-hill of Jasper. "He couldn't have been part of a conspiracy.

"He was a loner, all the way." —



—Dallas News Staff Photo by John Flynn.

Jack Ruby's sister, Mrs. Eva Grant, leaves Parkland Hospital Tuesday on the arm of attorney Phil Burleson after Ruby's death.

(Mount Clipping in Space Below)

TV Commentator Rips Into Dallas

Television commentator Eric Sevareid, commenting on Jack Ruby's death, Tuesday night sharply criticized Dallas as being a "metropolis in body but not in spirit."

Sevareid, appearing on the CBS "Walter Cronkite Show," also leveled charges at "Dallas officialdom" for several events since the 1963 assassination of President John F. Kennedy.

Sevareid's statement said:

"A few weeks ago the pathetic, lost, little creature named Jack Ruby was acting strangely in his Dallas jail cell. He's hamming it up, said the jailers. He began to breathe heavily. A bad cold said the jail doctors.

"Then he seemed really sick. Pneumonia said the doctor. Today Ruby died of cancer. With rigorous, unbroken consistency Dallas officialdom fumbled to the end.

"Consider the record, moving backwards in time:

"The other day Ruby's brother smuggled a tape recorder into his hospital room right under the eyes of the policeman on constant duty. A few months ago, a higher court threw out the murder with malice aforethought verdict on Ruby because his Dallas trial had been conducted so sloppily under such prejudicial conditions.

"During that trial the courthouse was thrown into panic when several prisoners in the cells upstairs broke out, one of them using a pistol-like object made of soap. On the day Ruby killed Oswald, he was allowed to mix freely with the police and reporters in the City Hall basement. What was familiar was OK. The police had tipped off reporters and cameramen as to the time and place of moving Oswald to jail.

"There's a first name camaraderie

among Dallas authorities and ~~all~~ ^{about} ~~hang~~ about them. Jack Ruby, night joint proprietor, a quarrelsome, emotionally unstable person, carried a pistol by right of a police permit to carry it.

"Go back further. A few minutes after President Kennedy was killed, the policeman who ran into the book depository building saw Lee Harvey Oswald in the refectory. He's OK, he works here, said the man in charge.

"The man who was police chief when Oswald was killed has continued in office for a long time. So did the man who was sheriff when the absurd jail break occurred.

"So did the judge who presided over the tragicomic trial . . . All are nice men; all are well liked in Dallas. And this it seemed to me, at the time, is the heart of the trouble. Dallas is at the adolescent, awkward age. It grew up too quickly. It is a metropolis in body but not yet

in spirit. Government remains a personal thing as in a small time courthouse. With size and sophistication go formality, impersonality, severe rules and standards. But Dallas officialdom hates to part with its breezy, informal family, nick-naming spirit.

"At the awkward age, very awkward things happen . . ."

Cronkite replied: "Perhaps the same can be said, Eric, of many American communities. Only the magnitude of the tragedies set Dallas apart.

Informed of Sevareid's statements, Dallas County Sheriff Bill Decker said he had no comment.

Calling Sevareid a "great writer," he said, "I can't see any reason to get in an argument with him.

"He can't gain anything with that kind of thing," the sheriff continued. "I'm satisfied with my office operations and apparently the people are."

(Indicate page, name of newspaper, city and state.)

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Statement Recorded By Ruby

A commercial recording, taped by Jack Ruby in his room at Parkland Hospital without consent of Sheriff Bill Decker, apparently will contain the Dallas nightclub owner's last words on the shooting of Lee Harvey Oswald.

Ruby died of cancer at 10:30 a.m. Tuesday. He had been in Parkland since Dec. 9.

The recording, made during a conference between Ruby and his lawyer, was revealed in an Associated Press story quoting attorney Elmer Gertz of Chicago. Gertz told The Associated Press the three-minute recording was made for Capital Records as part of a 46-minute album entitled "The Assassination."

OTHER VOICES, reportedly included in the album are those of the late President John F. Kennedy, accused presidential assassin Lee Harvey Oswald, several Dallas policemen, and Goy. John Connally, who was wounded by the rain of bullets which killed Kennedy.

Ruby reportedly said in the recording—as he has all along—that he was not part of a conspiracy but shot Oswald on a sudden

impulse. He also said he does not remember the shooting.

The Associated Press said Earl Ruby of Detroit, Jack Ruby's brother, took a small recorder to the hospital and taped the statement.

Informed sources, according to a United Press International story, said the interview was taped in the hospital by a recorder hidden in a briefcase. The story said one Dallas policeman was in the hospital room and two were outside the door at the time.

THE POLICEMEN did not know what was happening because Ruby's brother, Earl, told the former nightclub owner in Yiddish, "Jack, in this briefcase, the tape recorder is hidden here," the story said.

The UPI story said Ruby then gave an account, in halting English, of what he remembers of the events of Nov. 21, 1963.

A questioner asked Ruby if he had "ever known Oswald before."

Ruby replied he had "never known or seen him before." To another question, he denied that Oswald had been in his Dallas nightclub.

RUBY'S ACCOUNT of slaying Oswald was quoted as follows:

"All I did was walk down there, down to the bottom of the ramp (at Dallas City Hall) and that's when the incident happened—at the bottom of the ramp. . . it happened in such a blur that . . . before I knew it I was down on the ground. The officers had me on the ground. . . I can't recall what happened from the time I came from the bottom of the ramp until the officers had me on the ground."

SHERIFF DECKER said the recording, apparently was made while Gertz also was present.

"Ruby's rabbi, lawyers, and members of his family have privileges that other people do not have," Sheriff Decker said. "Any of them could sneak a small recorder in there under those conditions while the guard was out of the room. We're not searching everybody who goes in to visit him."

Ruby, under 24-hour guard, had been given privacy with his lawyers several times to discuss legal matters and sign papers.

During his stay at the hospital, where he was admitted Dec. 9, the 35-year-old Ruby had said he wants desperately to convince the public that he did not know Oswald and had no motive in the shooting except grief over Kennedy's death.

Gertz said a representative of the recording firm told the Ruby family the recording would be an important contribution to history.

There was no mention of any payment for the recording.

A spokesman for the recording firm said proceeds from the album would be donated to the Kennedy Library in Cambridge, Mass.

The spokesman said the album would be played Tuesday at a news conference in New York.

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"The Dallas Times Herald"
Dallas, Texas

Date: 1/3/67

Edition:

Author:

Editor: Felix R. McKnight

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Submitting Office:

☐ Being Investigated Dallas

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199 JAN 25 1967

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Cancer Conquers RUBY IS DEAD

Oswald Slayer's Death Peaceful

61 FEB 1 1967

(Indicate page, name of newspaper, city and state.)

"The Dallas
Times Herald"
Dallas, Texas

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Date: 1/3/67
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199 JAN 25 1967

Jack Ruby is dead.

The stubby little man, but but for one fleeting moment might forever have remained one of the world's unknown citizens, died of cancer at 10:30 a.m. Tuesday at Parkland Hospital.

He had been ill about four weeks.

No details of the death were revealed as the official announcement came Tuesday morning. However, Peter Geilich, assistant administrator at Parkland, said a press conference would be held at 2 p.m. at the Dallas City-County Health Unit.

It was later learned, however, that Ruby's sister, Mrs. Eva Grant, was with him from 9 a.m. until his death an hour and a half later.

Mrs. Grant, quiet and composed, talked with reporters briefly at Parkland Hospital.

"HE DIED very peacefully," she said.

She did not elaborate as to whether Ruby was still in a coma when death came. Official reports earlier in the day had stated that Ruby had slipped into the coma and his life was being counted in terms of "a matter of hours."

In addition to Mrs. Grant, several other persons were with Ruby when he died. These included a brother, Earl Ruby of Detroit, an unidentified sister, and attorney Phil Burleson of Dallas.

Hospital officials didn't inform Sheriff Bill Decker of Ruby's death until about 11:45 a.m.

AN AUTOPSY will be performed, according to a source in the sheriff's office.

The source said the consent of the family will not be required because Ruby had been a prisoner and was in custody at the time of his death.

Following the autopsy, the body will be released to Ruby's family.

Decker said the autopsy could be performed in a few hours.

Parkland officials explained the press conference on Ruby's death was being delayed until 2 p.m. because that would be the earliest that a preliminary pathologist's report could be made.

It was last December 3 — shortly after 5 p.m. — that Ruby, charged and once convicted of slaying accused presidential assassin Lee Harvey Oswald, was admitted to Parkland. At the time, doctors believed he was suffering from pneumonia but later tests soon revealed the fatal malignancy.

In the tense days which followed, attending physicians issued only succinct statements about their patient.

"He's a very sick man," they said. "His condition is poor in terms of the underlying nature of the disease, but his condition is good as far as pain or the ability to eat is concerned. His outlook is reasonably cheerful."

THE DOCTORS also disclosed they removed an enlarged lymph node from Ruby's neck — the malignancy was discovered in a microscopic examination of that tissue — and more than four quarts of fluid were pumped from Ruby's chest. However, almost from the first, doctors had held little hope for his recovery and within days announced that two possible treatments, radiation therapy and surgery, would be useless.

"We had no idea it (the cancer) would be so massive and widespread," one source stated shortly after the diagnosis was made.

For Ruby, death came in peaceful serenity — a direct contrast to his brawling, aggressive life. He had been under heavy sedation during the final days of his illness.

Even so, Jack Ruby may have accomplished his life-long ambition to become "important." Described by many as "a glad-handed publicity hound," Ruby, in shooting Oswald, virtually has assured himself a place in history along with Oswald and John Wilkes Booth.

"It was," as some have said, "a hard way to make the history books."

RUBY'S DEATH, coming only scant weeks after the Texas Court of Criminal Appeals reversed his prior conviction, leaves to future generations his final judgment. The controversy as to whether he was sane or insane, a grief-stricken patriot or a headline-hungry would-be hero still rages and is overshadowed only by the tragedy which surrounds the assassination of President John F. Kennedy.

The death also ends a long legal battle which has consumed hundreds of hours, more than 20 attorneys, and thousands of taxpayer dollars.

Oddly enough, Ruby died an "innocent" man despite a national television audience which "witnessed" the Oswald shooting. The Texas court's reversal had returned the case to the "innocent until proven guilty" status and officials were only beginning to make arrangements for a second trial when they learned of the fatal illness.

It WAS perhaps the final irony in a life and death filled with strange twists.

It was on a Sunday morning — shortly after 11 a.m. on November 24, 1963 — that Jack Ruby fired the single shot which forever obscured intimate details of the assassination. The scene was the Dallas City Hall basement, and the area was jammed with newsmen and photographers waiting for Oswald to be transferred to county jail.

At 11:20 a.m., there was a shout:

"Here he comes."

Suddenly, a short man, wearing a brown suit and hat, dashed from the crowd straight toward the slender prisoner. He crouched slightly, shoved a pistol against Oswald's black sweater, and pulled the trigger.

THERE WAS a flash and the muffled sound of a gun. Oswald's face contorted in pain.

"Oh no," someone yelled.

"Jack, you son of a —," shouted a detective.

Policemen — leaping, clawing, shoving, and scrambling — surged toward the man in the brown hat and suit. Oswald crumpled in the arms of the horrified detectives who had been at his side. In just more than an hour, he would be dead.

In the weeks and months which followed, many tried to understand or explain the tragedy.

~~SECRET~~ was Jack Ruby. None succeeded.

And now Jack Ruby is dead.

JACK RUBY—a pudgy, balding, vain, complex little man. Yet, in many respects, he was a product of his environment.

His real name was Jacob Rubenstein. He was born in Chicago sometime during 1911, but the exact date has never been determined. At various times, Ruby listed it as June 23, April 25, March 13, March 3, April 21, April 26, March 25 and March 19.

From the Warren Commission, this much is known:

Jack Ruby's father, Joseph Rubenstein, was born in Poland (at that time under Czarist Russia) during 1871 and entered the Russian army in 1893. There he learned the carpentry trade, which had been practiced by his father and at least one brother, and apparently picked up the habit of excessive drinking which was to plague him the rest of his life.

HIS MOTHER, Fannie Turck Rutkowski, also was born in Poland and the marriage was arranged—as was customary—by a professional matchmaker. It came while Joseph Rubenstein was still in the Russian army.

According to the family, Joseph Rubenstein saw service in China, Korea, and Siberia, but detested both these places and army life. Eventually, in 1898, he simply "walked away" and about four years later turned up first in England and then in Canada. He entered the United States in 1903 and was followed by his wife and two children about a year later.

The family settled in Chicago.

In the first five years of Jack Ruby's life, the family moved at least four times. And a brother, as stated in Warren Commission testimony, still recalls the neighborhood as a "ghetto" with "pushcarts on the streets."

TRAGEDY was marked by constant strife. Then, in the spring of 1921, the parents separated. By this time, Jack Ruby had three brothers and four sisters.

Less than a year later—when he was only 11 years old—Jack Ruby was referred to the Institute for Juvenile Research by the Jewish Social Service Bureau. The reasons were "truancy" and "incorrigible at home."

He was placed in a foster home and remained about a year.

When he returned home, Jack Ruby suddenly found himself on Chicago streets attempting to provide for himself and other members of his family. He was an avid sports fan and, together with many of his friends, "scalped" tickets to various sporting events. He also sold numerous novelty items and knickknacks, particularly those connected with professional and collegiate athletics.

In 1933, Ruby and several of his Chicago friends moved to California. He sold a "tip sheet" on horseraces, worked for a time as a singing waiter, and eventually became a door-to-door subscription salesman for a San Francisco newspaper.

Four years later his mother was committed to the Elgin State Hospital in Cook County (Chicago) Illinois. Reportedly, she was suffering from psychoneurosis with marked anxiety state.

Jack Ruby returned to Chicago. He was unemployed for a

time, then became a traveling salesman with his so-called "hustler" activities continuing on the side. He became active in Scrap Iron and Junk Handlers Union Local 2947 about 1937 but left its employe in 1940 after his close friend, union financial secretary Leon Cooke, died of gunshot wounds inflicted by the local president.

In 1941, Ruby was active in organization of the Spartan Novelty Co., a small firm which sold miniature cedar chests containing candy and gambling devices. Then, following the attack on Pearl Harbor, he and several friends decided to design and sell plaques commemorating the Day of Infamy.

THE PROJECT was slowed by Ruby's perfectionist approach to details of the design. By the time his copyrighted plaque finally was ready for sale, the market was flooded with similar items.

Ruby was employed by Globe Auto Glass Co. and Universal Sales Co. in late 1942. Then in 1943, after an unsuccessful appearance before an appeals board, he was inducted into the U.S. Army Air Corps. He was discharged from service in 1946 and returned to Chicago.

For a year—from 1945 to 1947—Ruby and his three brothers operated the Earl Products Co. The company manufactured and sold small cedar chests, distributed punchboards, made aluminum salt and pepper shakers, key chains, bottle openers, screwdrivers, and small hammers. Ruby was in charge of sales but because the company was small had no subordinates.

In 1947, two of the brothers purchased Jack Ruby's interest in the company. They paid him more than \$14,000.

And Jack Ruby came to Dallas.

IN 1944-46 YEARS prior to the assassination, except for a brief period in 1950 when he managed the Ervay Theater, Ruby's primary source of income stemmed from nightclubs and dancehalls. When he first arrived, he and his sister jointly managed the Singapore Supper Club—the name was later changed to the Silver Spur Club—which they described as "too nice for that part of town."

He also sold costume jewelry as discount rates, peddled sewing machine attachments at the State Fair of Texas, and at various times held interests in the Bob Wills Ranch House, a western type nightspot, the Vegas Club, and finally the Sovereign Club. He also sold pizza crusts to Dallas restaurants, manufactured and sold a liquid vitamin formula

distributed an arthritic preparation, attempted to build and sell log cabins at a lake resort, promoted records for musicians, and marketed English stainless steel razor blades.

IT WAS in connection with the Carousel Club (formerly the Sovereign) that Jack Ruby perhaps became best known in Dallas. Even so, until that tragic November weekend three years ago, he was just another of the world's unknown citizens.

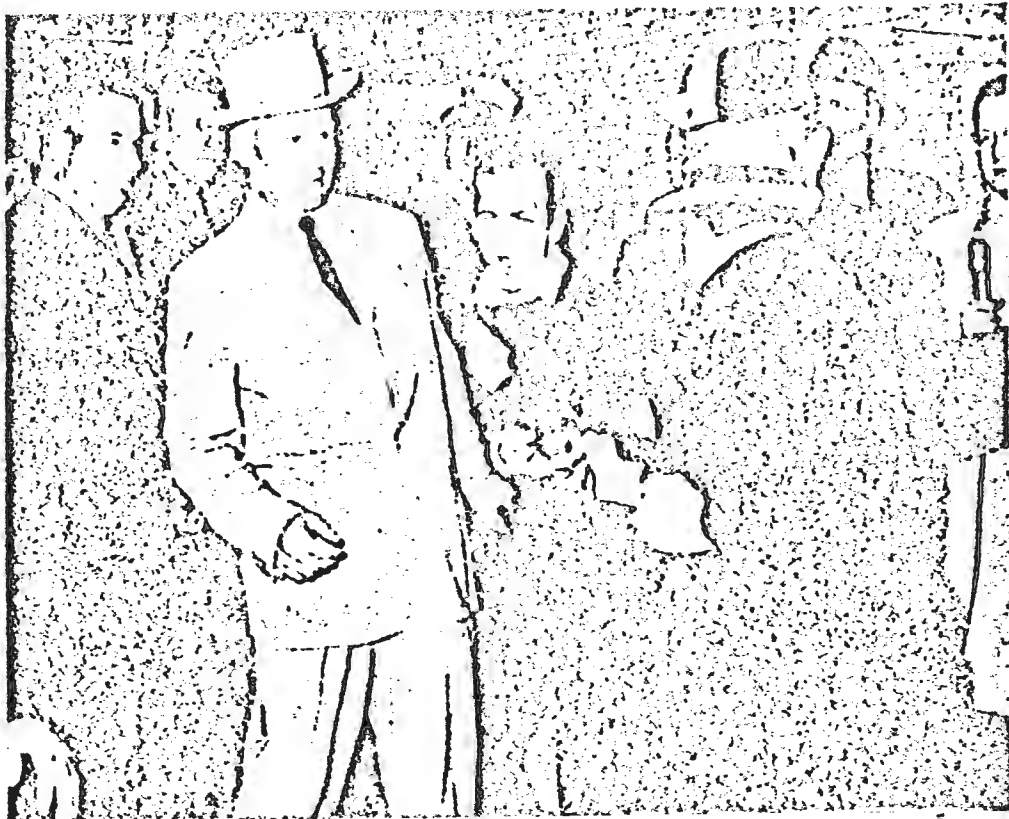
Then—in one fleeting moment—the world learned of Jack Ruby.

Jack Ruby, the vain little man from the wrong side of the tracks, has achieved his dubious place in history.

Funeral services for Ruby will be held at ——— will officiate with burial in ———

Survivors include

Archie not continued.



Times Herald photographer Robert Jackson's Pulitzer Prize picture of Jack Ruby at the moment he shot accused Presidential assassin Lee Harvey Oswald.



Recent Photograph of Ruby in Jail

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WASHINGTON CAPITAL NEWS SERVICE



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UPI-67

(PURY)

DALLAS--JACK PURY, THE KILLER OF PRESIDENTIAL ASSASSIN LEE HARVEY OSWALD, DIED OF CANCER IN THE SAME HOSPITAL WHERE BOTH PRESIDENT KENNEDY AND OSWALD DIED THREE YEARS AGO, A DALLAS RADIO STATION SAID TODAY.

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[UPI-65]

(FURY)

DALLAS--JACK PURY, THE KILLER OF PRESIDENTIAL ASSASSIN LEE HARVEY OSWALD, DIED OF CANCER IN THE SAME HOSPITAL WHERE BOTH PRESIDENT KENNEDY AND OSWALD DIED THREE YEARS AGO, A DALLAS RADIO STATION SAID TODAY.

[DALLAS RADIO STATION KPLD QUOTED A "HIGHLY PLACED" SOURCE AS SAYING PURY SANK INTO A COMA AND DIED OF THE WIDESPREAD CANCER WHICH WAS DISCOVERED LAST DECEMBER.]

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UPI-65

(RUBV)

DALLAS--JACK RUBY, THE CANCER-STRICKEN KILLER OF PRESIDENTIAL ASSASSIN LEE HARVEY OSWALD, IS IN A COMA, IT WAS REPORTED TODAY.

THE DALLAS TIMES-HERALD SAID RUBY HAS BECOME UNCONSCIOUS AND "HIS LIFE IS NOW MEASURED IN HOURS AND DAYS."
RUBY WAS ADMITTED TO PARKLAND HOSPITAL DEC. 10 AND FOUND TO BE SUFFERING FROM WIDESPREAD CANCER.
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UPI-134

ADD RUBY, DALLAS

DRS. EUGENE FRENKEL AND EARL ROSE, INTERNAL MEDICINE SPECIALISTS, SAID THEY COULD NOT TELL FOR CERTAIN WHETHER CANCER WAS THE DIRECT CAUSE OF THE CLOT.

BUT THEY SAID "TUMORS OF THIS TYPE CAUSE A PREDISPOSITION TO BLOOD CLOTS." THE CANCER NODULES WHICH STARTED IN RUBY'S LUNGS ACTUALLY HAD BEEN SHOWING SOME DECREASE IN SIZE, BUT THE DOCTORS SAID IT WAS UNLIKELY THE MALIGNANCY WOULD HAVE STOPPED IF THE BLOOD CLOT HAD NOT OCCURRED.

THE FUNERAL WAS SET FRIDAY AT CHICAGO, WITH VEINSTEIN FUNERAL HOME IN CHARGE. RUBY WILL BE BURIED AT WEST LAWN CEMETERY ON CHICAGO'S FAR NORTHWEST SIDE.

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WASHINGTON CAPITAL NEWS SERVICE

ADD RUBY, DALLAS.

BUT BOTH FRENKEL AND ROSE SAID RUBY'S CANCER WAS SO WIDESPREAD THAT IT PROBABLY COULD NOT HAVE BEEN STOPPED, EVEN IF THERE HAD NOT BEEN A CLOT.

"YESTERDAY, HE WAS QUITE COMFORTABLE," DR. FRENKEL SAID. "IN THE EVENING THERE WAS SOME INCREASE IN SHORTNESS OF BREATH, BRINGING UP THE QUESTION OF A CONDITION CHANGE. HE RECEIVED OXYGEN.

PURDY HAD DECLINED SO RAPIDLY IN THE PAST FEW DAYS THAT HIS FAMILY HAD BEEN CALLED IN.

ARMED FILE AND INTIMID

Jack Ruby,

Oswald

Slayer, Dies

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Cancer Is Fatal To Prisoner in Dallas Hospital

Brother, 2 Sisters At Bedside When Death Comes

DALLAS, Tex. (AP) — Jack Ruby, the slayer of accused presidential assassin Lee Harvey Oswald, died today in Parkland Hospital, where he had been suffering from cancer since Dec. 2.

He was 55.

Ruby was moved to the hospital after complaining of an illness which jail doctors had been treating as a bad cold for three weeks.

At the hospital, his illness was first diagnosed as pneumonia and then as cancer, which had spread into the lymph glands, lungs and pancreas. X-ray and surgery would do no good, doctors said.

Ruby's death came at 11:30 a.m. (EST).

Sheriff's deputies had been issuing twice-daily bulletins on Ruby's condition but this morning said the bulletin would be a "little later."

Product of Chicago Slums

A product of the Chicago slums, Ruby was little known even in Dallas until he stepped in front of television cameras in the basement of the Dallas City Jail and shot Oswald with a revolver.

That was on Nov. 24, 1963, and the one-time Chicago tough kid had gained the world renown friends said he always had wanted.

He spent the rest of his life behind bars and in Chicago today, Elmer Gertz, one of his defense lawyers, said Ruby "looked like a man of 80 years" when Gertz saw him just before Christmas.

In Ruby's room when he died were his brother, Earl Ruby of Detroit, Mich.; his sister, Eva Grant of Dallas, and Eileen Kaminsky, another sister from Chicago.

Visited by Warren

Visitors were rare after Ruby was jailed. He was inaccessible except to his family, lawyers and investigators.

One visitor in the county jail was Chief Justice Earl Warren, who was present when Ruby was given a lie detector test. In the test, Ruby denied that there was any conspiracy connecting him with the assassination of President Kennedy.

Ruby denied knowing Oswald, who was known to Dallas police patrolman J. D. Tippit, who Oswald also was accused of shooting to death on an "Ogle

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44-24916 JAN 3 1967

Cliff Street soon after President Kennedy was killed.

Since being taken to the hospital, Ruby had insisted on another lie detector test to prove there was no conspiracy. Experts and doctors said the advanced state of his cancer prevented the test from having validity.

Operated Carousel Club

In 1963, when he killed Oswald, Ruby was known as the operator of the Carousel Club, a tough guy who acted as his own bouncer and would throw you out if you "looked at the girls wrong" and a "damn Russian-type who would give you the shirt off his back."

He usually carried a pistol, friends said, but had never been known to use it until he darted between Oswald's police escorts at the Dallas jail and shot Oswald once in the abdomen.

Ruby, friends and enemies alike agreed, was a man who wanted to attain "class," a word he used frequently in describing people who impressed him.

George Senator, who shared an Oak Cliff apartment with Ruby when the Oswald killing occurred, said Ruby never took any part in politics. "I doubt if he ever voted much," Senator said.

But when Ruby was asked why he killed Oswald, he said it was to spare Mrs. Jacqueline Kennedy the anguish of having to come back to Dallas for Oswald's murder trial.

He wanted peace for Mrs. Kennedy, he said.

After Ruby made his statement to the Warren Commission representatives, there was still doubt in many minds.

When books and periodicals began dwelling on the point, and some said flatly that Ruby knew Oswald, that Ruby was a friend of J. D. Tippit and that the assassination was planned by a huge group of conspirators, Ruby asked the second lie detector test.

Then only over the last weekend, it was revealed that one of Ruby's last acts was to record another statement denying any conspiracy that he knew about.

Earl Ruby, said Gertz, took a small recorder into the hospital room for Jack to use and tell his story—the story he died with.

Ruby is reported to have said that a wrong turn into a parking lot was the "fate" that put

him in the basement of the Dallas Police headquarters at the moment Oswald was being led from the jail.

Ruby has recorded his insistence that he blacked out and remembers nothing of the actual shooting of Oswald.

Conviction Overturned

A Dallas jury sentenced Ruby to death after a stormy, month-long trial before Dist. Judge Joe B. Brown in March, 1964. But the Texas Court of Criminal Appeals overturned the conviction last October.

A new trial was scheduled for Wichita Falls, Tex., tentatively in February, but from the first day of his hospitalization there had been doubt that Ruby ever again would see a courtroom.

Dallas Dist. Atty. Henry Wade, who prosecuted Ruby in his first trial, had indicated he would again seek the death penalty. But Phil Burleson of Dallas and Gertz both had said that the most Ruby could get if convicted again would be five years in prison.

The original trial and subsequent developments, like the assassination of President Kennedy, were among the most tempestuous in Texas history.

Judge Brown stepped out of the case after there was criticism of the way he handled the trial and charges that a lawyer had misrepresented evidence.

Ruby was born March 25, 1911, in the Maxwell Street ghetto of Chicago. He was the sixth of nine children of an immigrant carpenter from Poland and his wife.

His name was Jake Rubenstein, and he spent much of his childhood fighting the tough Italian boys up the street and learning how to win—at anything, run-sheep-run, kick-the-can, craps, betting . . .

His sister, Eva, nick-named him "Sparky" in those early Chicago days, and the name stuck.

"Sparky was a real scrapper, even when he was 10," recalled brother Earl. "He was always getting into fights and winning 'em."

Ruby's parents—Joe and Fannie Rubenstein—separated in 1923 and Jack was placed in a foster home until he reached the age of confirmation, 13. But Ruby never had a Bar Mitzvah, traditional ceremony in Jewish life.

Nevertheless, said Earl, "he was a scrapper, a go-for-it guy."

Some of his fights, friends always said, "were to prove that Jews can fight."

Quit High School

He dropped out of high school at 16 and fell into a variety of odd jobs. He scalped tickets at sporting events to vending peddlers and the like.

In 1933, he and some friends went to San Francisco and he earned a living mainly by selling newspaper subscriptions from door to door. Somewhere, he became a police fan and learned to like newspapermen.

In 1937, he moved back to Chicago and helped an old friend, Leon R. Cooke, organize a junkyard workers union. But Cooke died two years later and after two more years of selling almost anything he could get his hands on, Ruby was drafted.

He made some friends in the service and trained as an Air Force mechanic. He received a rating of "very satisfactory" and was mustered out in 1946 without going overseas.

Eva asked him to join her in Dallas and in 1947 they opened two night clubs. Ruby devoted most of his time to the strip-joint downtown, the Carousel Club. He managed it until it was closed a few weeks after the assassination.

"He wanted to be liked—and he was," said a friend who knew him when he operated the Carousel. Ruby visited the police station often. The night after the assassination, he brought sandwiches up for hungry policemen and newsmen who had little chance to eat elsewhere.

"Jack didn't like hecklers," said one of his strip-tease queens. He got a reputation at his club as a pretty tough guy, and he rarely needed the help of police to keep order.

He tossed at least one drunk down the stairs after beating him up when the trouble-maker caused too much noise in the Carousel. He had fights, too, in other clubs.

But police, generally, liked him. Many visited his club on off-duty hours. Jack would give them some tips, too, now and then.

He dressed sharply and he thought sharply. He was a man who loved his friends and hated his enemies.

After an afternoon autopsy, Ruby's body will be taken to the Welland-Merritt Funeral Home here for preparation for shipment to Chicago's Weinstein & Sons on West Palmer Road, possibly late today.



- Associated Press

Jack Ruby in custody.

A12 Wednesday, Dec. 14, 1966 THE WASHINGTON POST

Ruby Cancer Widespread, Drugs Called Only Hope

DALLAS, Dec. 13 (AP) — one in the Picura, the lining awaiting a second trial for his Jack Ruby's only chance to survive the cancer spreading lung. He said it is the same when he was hospitalized. The through his body lies in treat- malignant kind found in a Warren Commission named ment by drugs, a doctor said lymph node in Ruby's neck Oswald as the assassin of today. Saturday. President Kennedy in Dallas

Dr. Jack Barnett said Ruby cannot be cured by surgery because his cancer is already too widespread. The diselo- sure considerably darkened Ruby's chances for recovery. Barnett is associate profes- sor of internal medicine at the Southwestern Medical School, adjacent to the Park- land Hospital, where Ruby was transferred from his jail cell Friday. Nov. 22, 1963. Ruby shot Os- wald to death two days later in the City Hall basement as Oswald was being transferred to the county jail.

Barnett also said at a news conference that another tumor has been found in Ruby, this strip joint operator, was A Dallas jury sentenced Ruby to death, but a State Ap- pellate Court reversed the conviction.

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61 DEC 15 1966

Ruby's Doctors Probe For Source of Cancer

ILLIAS, Dec. 12 (AP) — Jack Ruby's fate remained uncertain today as doctors hunted the source and sought to determine the extent of his cancer.

Dr. Jay Sanford, professor of internal medicine at the Southwestern Medical School, adjoining the Parkland Hospital, where Ruby was taken Friday, said at a news conference today that Ruby's cancer is "not necessarily a hopeless case."

Sanford said it might take more than a week to locate the source of the malignancy. He added that medical specialists speculate that the main cancerous growth lies in Ruby's gastrointestinal tract, a lung or the pancreas.

"His chances of recovery depend on the location of the primary site," Sanford said. Ruby, the killer of alleged presidential assassin Lee Harvey Oswald, was taken from jail to the hospital Friday with what at first was thought to be pneumonia.

A malignant tumor was found Saturday in a lymph node in Ruby's neck. Doctors said other sites exist and that the disease is of an advanced nature.

The Dallas Times Herald quoted an unnamed "source close to the medical aspects of the case" that the tumor has spread into too many vital areas, has escaped detection too long, and that doctors fear Ruby is "beyond help."

Sanford said he did not agree with that diagnosis, saying it was too early to tell.

He said Ruby's general condition is reasonably good, and that it is "impossible to predict" whether Ruby's disease is terminal.

Dr. Watts Webb, a Parkland surgeon, said Ruby may survive "two weeks or five years."

Sanford said the source of the cancer would determine whether Ruby is to undergo surgery or instead receive chemical and radiological medication.

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UPI-56

(RUBY)

DALLAS--BOTH SURGERY AND RADIATION TREATMENT HAVE BEEN RULED OUT IN JACK RUBY'S CANCER AND DRUGS ARE THE ONLY POSSIBLE MEANS LEFT TO SAVE THE LIFE OF THE ONCE-CONVICTED KILLER OF LEE HARVEY OSWALD, A PHYSICIAN AT PARKLAND HOSPITAL SAID TODAY.

DR. JACK BARNETT, A SPECIALIST IN INTERNAL MEDICINE AT SOUTHWESTERN MEDICAL SCHOOL IN DALLAS, SAID THERE WILL NOT BE EVEN ANY EXPLORATORY SURGERY.

BARNETT TOLD A NEWS CONFERENCE CANCER HAS BEEN FOUND IN THE WALL AND THE LINING OF RUBY'S CHEST IN ADDITION TO THE LYMPHY NODE OF HIS NECK, WHERE IT WAS ORIGINALLY DISCOVERED.

IN ADDITION, BARNETT SAID, THERE ARE NODULES IN BOTH OF RUBY'S LUNGS THAT HAVE BEEN DETECTED BY X-RAY AND WHICH MAY BE CANCEROUS.

AND THE PRIMARY SOURCE OF THE MALIGNANCY STILL HAS NOT BEEN FOUND, HE SAID.

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WASHINGTON CAPITAL NEWS SERVICE

Experts Start Tests to Locate Ruby's Cancer

DALLAS, Tex. (AP) — Medical specialists start examining cancer-stricken Jack Ruby from head to toe today to seek the source of the disease spreading through his body.

"His chances of recovery depend on the location of the primary site," said Dr. Jay Sanford, professor of internal medicine at Southwestern Medical School. Dr. Sanford heads a team of physicians treating Ruby.

Sheriff Bill Decker, who has custody of Ruby, called a news conference today. He said Dr. Sanford would be present.

Ruby, 55, onetime Dallas night club operator who neither drank nor smoked, was taken to Parkland Hospital from the county jail Friday night after being treated for a week by the county health officer for a congested chest. The hospital said he had pneumonia.

Getting Oxygen

The hospital said yesterday that Ruby is receiving supplemental oxygen at intervals.

A malignant tumor was discovered Saturday to have nearly consumed a lymph node in Ruby's neck. Doctors said it signified there were other sites and that the cancer was advanced.

Whatever the results of this week's tests, Dr. Sanford said, "I do not expect he will be able to go to court" as early as February for retrial on a charge of murder in the slaying of Lee Harvey Oswald, identified by the Warren Commission as the assassin of President John F. Kennedy Nov. 22, 1963.

Ruby's conviction and death sentence were set aside two months ago. A change of venue to Wichita Falls, north of here, was ordered. No date was set, although officials said February was possible.

Not at Point of Death

Another member of the medical team said yesterday that "Ruby is not at death's door but his cancer is in an advanced stage."

He said Ruby could live "a month or five years. We just don't know until we run more tests to find where the tumors originated."

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UPI-99
 (RUBY)

DALLAS--JACK RUBY, ACCUSED OF MURDERING THE MAN WHO KILLED PRESIDENT KENNEDY, HAS CANCER, TWO DOCTORS DISCLOSED TODAY.

THE CANCER STARTED SOME TIME AGO AND BEGAN AN UNNOTICED SPREAD THROUGH RUBY'S BODY. IT WAS DISCOVERED ONLY WHEN THE FLUID IT CAUSED IN THE LUNG CAVITY BUILT UP SO MUCH RUBY COULD NOT TAKE A DEEP BREATH. WHETHER IT CAN BE ARRESTED, OR WHETHER RUBY WILL RECOVER, IS NOT KNOWN YET, DOCTORS SAID.

DRS. JAY SANFORD AND WATTS WEBB, BOTH OF THE UNIVERSITY OF TEXAS SOUTHWESTERN MEDICAL SCHOOL AT DALLAS, SAID IN A JOINT NEWS CONFERENCE THAT RUBY HAD MINOR SURGERY AT PARKLAND HOSPITAL SATURDAY TO REMOVE A SMALL LYMPH NODE IN HIS NECK. THE NODE WAS CANCEROUS AND GAVE DOCTORS TISSUE FOR TESTS TO FIND OUT MORE ABOUT RUBY'S CANCER.

BUT THE FACT THE NODE, WHICH IS ONE OF MANY IN THE BODY SERVING TO FILTER BACTERIAL GERMS, HAD A MALIGNANT GROWTH AND WAS ALMOST ALL CANCEROUS INDICATED THE CANCER MAY HAVE SPREAD EXTENSIVELY. THE NODE WAS THE SIZE OF A FINGERTIP, SANFORD SAID, WHERE THE NECK MEETS THE COLLARBONE.

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DEC 16 1966

WASHINGTON CAPITAL NEWS SERVICE

Sister Says Ruby Ailing for Weeks

DALLAS, Dec. 10 (AP) — The sister of Jack Ruby, convicted slayer of Lee Harvey Oswald, charged today that authorities in Dallas ignored the illness of her brother for several weeks. Jack Ruby is critically ill in a Dallas hospital.

"That guy is dying," she said.

Mrs. Eva L. Grant said that the last time she visited her brother in jail he looked bad — "terrible — like a corpse" she said.

Mrs. Grant claimed that Ruby had been sick in jail for weeks. The allegation was denied by Sheriff Bill Decker.

Ruby was confined to an isolation ward today in Parkland Memorial Hospital, the same hospital in which Lee Harvey Oswald and President John F. Kennedy died three years ago.

Ruby, 35, was taken under guard from his Dallas County jail cell last night on the orders of Dr. J. M. Pickard, county health officer.

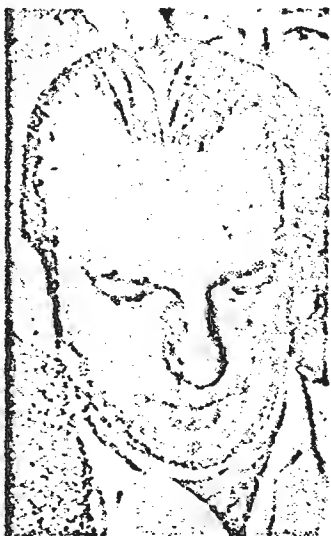
The hospital had no immediate diagnosis but Sheriff Decker said doctors told him they were "becoming certain" it was pneumonia. Ruby had complained of a cold earlier yesterday, he said, and there were reports Ruby had been complaining about not feeling well for three days.

SISTER'S CHARGE

The sheriff called in Dr. Pickard, who ordered Ruby to the hospital.

A few hours later, Ruby was sitting up in bed, eating ice cream following a visit by his sister, and his lawyer, Phil Burleson.

Decker said Ruby would be treated like any other patient, but that his room would be guarded.



JACK RUBY
Like a corpse

Ruby, 35, once operated a striptease nightclub in downtown Dallas. He was convicted March 14, 1964 of murdering Oswald in the basement of the Dallas police station on Nov. 24, 1963.

But the Texas court of criminal appeals on Oct. 3 reversed the conviction, ordered a new trial and said it must be held away from Dallas.

NEW TRIAL

Ruby was scheduled to be tried a second time, probably in February, in Wichita Falls, Tex.

Sheriff Decker declined to say whether he thought Ruby's illness would force postponement of the second trial.

"February is a long way off," he said. "We'll know more later. We don't know anything now."

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Ruby Has Pneumonia, Is Shifted to Hospital

DALLAS, Tex. (AP)—Jack Ruby, slayer of Lee Harvey Oswald, was taken from the Dallas County jail to Parkland Hospital yesterday with what the hospital called a serious case of pneumonia.

Phil Burleson, one of Ruby's lawyers, said it was "too early to tell" how the illness might affect a new trial which has been granted his client.

Ruby, 35, was convicted and sentenced to death for Oswald's slaying, but the Texas Court of Criminal Appeals recently reversed the 1964 conviction and ordered a new trial outside of Dallas.

Dist. Judge Louis Holland, who has presided over the case since trial Judge Joe B. Brown voluntarily bowed out, transferred the trial to Wichita Falls,

but set no date. He indicated it possibly would be in February.

Burleson saw Ruby soon after he arrived at the hospital and described him as a very sick man.

"We are concerned," said the lawyer. "I think he's very sick."

Burleson said Ruby was being administered oxygen through his nasal passages.

"The guy's dying," said Ruby's sister, Eva Grant.

A jail doctor said Ruby had a "throat tickling kind of cough," but at 10 a.m. yesterday there was no fever.

Sheriff Bill Decker said he ordered Ruby to the hospital after talking to Ruby for the first time in about 10 days and conferring with Dr. J. M. Pickard, county health officer.

An assistant to Pickard, Dr. J. W. Callahan, said he had been treating Ruby for a cold bout two weeks.

Ruby shot Oswald in the basement of the Dallas city jail the morning of Nov. 24, 1963, two days after President John F. Kennedy was slain.

Ever since the Oswald shooting, Ruby has remained in the Dallas County jail, the ward of Sheriff Decker.



JACK RUBY

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UPI-31

(RUBY)

DALLAS--SERIOUSLY ILL FROM PNEUMONIA, JACK RUBY WAS CONFINED TO AN ISOLATION WARD TODAY IN PARKLAND MEMORIAL HOSPITAL, THE SAME HOSPITAL IN WHICH LEE HARVEY OSWALD AND PRESIDENT JOHN F. KENNEDY DIED THREE YEARS AGO.

RUBY, 55, THE CONVICTED KILLER OF OSWALD, WAS TAKEN UNDER GUARD FROM HIS DALLAS COUNTY JAIL CELL LAST NIGHT ON THE ORDERS OF DR. J. M. PICKARD, COUNTY HEALTH OFFICER.

THE HOSPITAL HAD NO IMMEDIATE DIAGNOSIS BUT SHERIFF BILL DECKER SAID DOCTORS TOLD HIM THEY WERE "BECOMING CERTAIN" IT WAS PNEUMONIA.
 12/10--TD1014AES

F122

DEC 15 1966

WASHINGTON CAPITAL NEWS SERVICE

Jack Ruby Hospitalized; Pneumonia Suspected

DALLAS, Tex., Dec. 9 (AP) — Jack Ruby, the stubby strip-joint operator who killed Lee Harvey Oswald, was taken to Parkland Hospital today with an illness described as a serious case of pneumonia.

"That guy's dying," said Ruby's sister, Mrs. Eva Grant.

The jail doctor said Ruby had a "throat-tickling kind of cough" and no fever.

The hospital said the admission diagnosis was pneumonia and listed Ruby's condition as serious.

Ruby was convicted and sen-

tenced to death for gunning down Oswald, later named by the Warren Commission as President John F. Kennedy's assassin. The conviction was reversed and a new trial was ordered on the ground that trial Judge Joe B. Brown did not grant Ruby a change of venue. The new trial has been set for Wichita Falls, Tex., probably in February.

Sheriff Bill Decker said he ordered Ruby transferred to the hospital on the advice of Dr. J. M. Pickard, county health officer after routinely visiting Ruby's cell for the first time in 10 days.

Dr. John W. Callahan, Pickard's assistant, said he had been seeing Ruby daily for two weeks because of a cold.

"I examined him at 10 a.m. today," he said, "and his cold seemed to be subsiding. I thought he was improving. I was surprised to hear tonight that he had gone to the hospital."

Parkland Hospital, where both President Kennedy and Oswald died, said it will issue the next statement on Ruby's condition at 10 a.m. (EST) Saturday.

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The Washington Post and Times Herald AI
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The New Leader _____
The Wall Street Journal _____
The National Observer _____
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UPI-129

(RUBY)

DALLAS--JACK RUBY, CHARGED WITH MURDERING THE MAN WHO KILLED
 PRESIDENT KENNEDY, WAS TAKEN TO A DALLAS HOSPITAL TONIGHT
 IN SERIOUS CONDITION WITH PNEUMONIA.
 12/9--WM638PES

DEC 9 1966

WASHINGTON CAPITAL NEWS SERVICE

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UPI-137

(RUBY)
 DALLAS--JACK RUBY, CHARGED WITH MURDERING PRESIDENTIAL ASSASSIN
 LEE HARVEY OSWALD, WAS TAKEN TO PARKLAND HOSPITAL TONIGHT, AND DOCTORS
 IN THE EMERGENCY ROOM SAID HE WAS SUFFERING FROM PNEUMONIA.
 DALLAS COUNTY SHERIFF BILL DECKER SAID RUBY HAD BEEN ILL FOR
 TWO OR THREE DAYS AND HAD BEEN UNDER TREATMENT AT THE COUNTY JAIL.
 BUT DECKER SAID RUBY "LOOKED A LITTLE BAD" TODAY WHEN HE WENT
 UP TO SEE RUBY IN HIS CELL, SO HE CALLED JAIL PHYSICIAN DR. JOHN
 CALLAHAN. CALLAHAN TOLD DECKER TO TAKE RUBY TO THE HOSPITAL.
 PARKLAND IS THE SAME HOSPITAL WHERE PRESIDENT JOHN F. KENNEDY
 AND HIS ASSASSIN DIED. IT IS THE LARGEST HOSPITAL IN DALLAS.
 DECKER SAID HE HAD PLACED "MAXIMUM SECURITY" AROUND THE HOSPITAL.
 12/9--TS815FES

WASHINGTON CAPITAL NEWS SERVICE

Tolson _____
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272A

RUBY 12/9 DA

URGENT-- 2ND NIGHT LD RUBY 258A

BY BERT L. CAMPBELL

UNITED PRESS INTERNATIONAL

DALLAS (UPI)--JACK RUBY, CHARGED WITH MURDERING PRESIDENTIAL ASSASSIN LEE HARVEY OSWALD, WAS TAKEN TO PARKLAND HOSPITAL FRIDAY NIGHT AND DALLAS COUNTY SHERIFF BILL DECKER SAID DOCTORS WERE "BECOMING CERTAIN" RUBY WAS SUFFERING FROM PNEUMONIA.

DECKER, WHO HAS ONLY RECENTLY BEEN RELEASED FROM THE HOSPITAL HIMSELF, SAID HE LAST SAW RUBY 10 DAYS AGO AND THAT HIS PRISONER SEEMED TO BE IN GOOD HEALTH.

BUT WHEN DECKER VISITED RUBY FRIDAY, RUBY COMPLAINED OF HAVING A COLD. THE SHERIFF SAID HE HAD HEARD RUBY HAD BEEN COMPLAINING OF A COLD FOR THE PAST THREE DAYS.

DECKER SAID HE SUMMONED THE COUNTY MEDICAL HEALTH OFFICER DR. J. M. PICKARD TO EXAMINE RUBY, AND THE DOCTOR TOLD HIM TO TAKE RUBY TO PARKLAND, WHERE TESTS COULD BE CONDUCTED AND X-RAYS COULD BE RUN.

RUBY WAS EXAMINED IN THE EMERGENCY ROOM OF THE HOSPITAL, THE SAME HOSPITAL WHERE PRESIDENT JOHN F. KENNEDY AND HIS ASSASSIN DIED, AND THEN WAS ADMITTED TO AN ISOLATION WARD. DECKER SAID RUBY WOULD BE TREATED AS ANY OTHER PATIENT, BY STAFF DOCTORS, BUT THAT MAXIMUM SECURITY WOULD BE PLACED ON HIS ROOM.

RUBY WAS CONVICTED AND SENTENCED TO DEATH IN 1964 FOR MURDERING OSWALD. BUT THAT CONVICTION WAS REVERSED EARLIER THIS YEAR AND A NEW TRIAL WAS ORDERED ON THE GROUNDS TRIAL JUDGE JOE B. BROWN DID NOT GRANT RUBY A CHANGE OF VENUE.

A NEW TRIAL IS EXPECTED NEXT FEBRUARY. WICHITA FALLS, TEX. HAS BEEN CHOSEN AS THE SITE OF THE SECOND RUBY TRIAL.

DECKER WOULD NOT COMMENT ON WHETHER HE THOUGHT RUBY'S ILLNESS WOULD CAUSE A POSTPONEMENT OF THE TRIAL.

"FEBRUARY IS A LONG WAY OFF," HE SAID. "WE'LL KNOW MORE LATER. WE DON'T KNOW ANYTHING NOW."

MOPEM750PCS..

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275A

RUBY 12/9 DA

1ST ADD 2ND NIGHT LD RUBY, DALLAS 272A X X X ANYTHING NOW."
 THE SHERIFF SAID ONE OF RUBY'S ATTORNEYS, PHIL BURLESON,
 ARRIVED AT THE HOSPITAL SHORTLY BEFORE HE LEFT, AND THAT BURLESON TOLD
 HIM RUBY HAD BEEN COMPLAINING OF A COLD LAST TUESDAY. DECKER SAID
 BURLESON TOLD HIM RUBY HAD THOUGHT HE HAD A LITTLE "CHEST IRRITATION."
 DECKER SAID HE HAD NOTIFIED RUBY'S BROTHER EARL IN DETROIT OF
 RUBY'S ILLNESS, BUT DID NOT COMMENT ON WHAT EARL HAD SAID.
 BUT RUBY'S SISTER, MRS. EVA GRANT, HAD LOUD COMMENT WHEN HER
 BROTHER WAS TAKEN TO THE HOSPITAL.
 SHE SAID RUBY HAD BEEN ILL FOR THREE WEEKS AND THAT HAD NOT BEEN
 RECEIVING PROPER CARE. SHE SAID HE LOOKED TERRIBLE--"LIKE A CORPSE"
 WHEN SHE SAW HIM FRIDAY MORNING.
 DECKER SAID TWO DOCTORS AND TWO NURSES WERE ON DUTY
 AT THE JAIL AND THAT HE WAS SURE RUBY HAD BEEN GETTING ADEQUATE
 TREATMENT. HE SAID TWO DOCTORS AND TWO NURSES WERE KEPT ON DUTY BECAUSE
 OF THE LARGE NUMBER OF COLDS CONTRACTED BY THE PRISONERS.
 THAT PROMPTED A NEWSMAN TO ASK IF THE COUNTY JAIL WERE DRAFTY.
 DECKER RAISED HIS VOICE ONLY SLIGHTLY AND SAID:
 "THIS BUILDING WAS BUILT AS A JAIL IN 1914. IT IS A JAIL, NOT A
 BARN."
 DECKER SAID HE DID NOT KNOW HOW LONG RUBY WOULD BE IN THE
 HOSPITAL, BUT AS LONG AS HE WAS THERE, ONE GUARD WOULD BE KEPT IN THE
 ROOM WITH HIM AND ONE GUARD WOULD STAND OUTSIDE HIS ROOM.
 INCLUDES PREVIOUS
 7800PCS

41

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277A

RUBY 12/9 DA

INSERT RUBY, DALLAS 272A AFTER 10TH PGH X X X IRRITATION.

DECKER SAID THE SAME PERSONS WOULD BE ADMITTED TO RUBY'S HOSPITAL ROOM AS HAVE BEEN ALLOWED TO VISIT HIS JAIL CELL. THAT WOULD BE HIS BROTHERS EARL, SAM AND HYMAN AND HIS SISTER, MRS. EVA GRANT, ALONG WITH HIS ATTORNEYS.

HOSPITAL OFFICIALS SAID THE NEXT STATEMENT ON RUBY'S CONDITION WOULD BE ISSUED AT 9 A. M. CST (10 A. M. EST) SATURDAY.

PICKUP 11TH PGH 272A; DECKER SAID
M81OPCS..

WASHINGTON CAPITAL NEWS SERVICE

DeLoach _____
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TO
295A

RUBY 12/9 DA
INSERT VND NIGHT LD R

· INSERT 2ND NIGHT LD RUBY, DALLAS, 272A, AFTER 5TH PGH:
RUBY'S SISTER, EVA GRANT, AND HIS ATTORNEY, PHIL BURLESON,
VISITED HIM IN HIS ROOM AND SAID HE WAS RESTING WELL.
"JACK WAS SITTING UP IN BED, EATING ICE CREAM," BURLESON SAID.
PICKUP 272A, 6TH PGH: RUBY WAS
BJ1025PCS..

WASHINGTON CAPITAL NEWS SERVICE

(Mount Clipping in Space Below)

DA Believes Ruby to Get Fair Trial

By KENT BIFFLE
News Staff Writer

WICHITA FALLS, Texas —

Dist. Atty. Stanley Kirk of Wichita County joined Dist. Atty. Henry Wade of Dallas County Wednesday in calling for the death penalty for Jack Ruby.

Kirk said he feels from what he has read that the state had a solid case against Ruby in the first trial. The first trial, ending in a death sentence, was reversed by the State Court of Criminal Appeals. A new trial will be held in Wichita Falls, "possibly in February."

Kirk and Wade will head up the prosecution team in the 30th District Courtroom on the third floor of the 3-story, marble-faced Wichita County Courthouse.

ASKED HOW HE FELT about having the Ruby case fall in his lap, Kirk said:

"I feel a little like the man who's being ridden out of town on a rail. If it weren't for the honor, I'd just as soon decline."

Fortyish and big (six-foot-one, 195 pounds), Kirk is an easy-going man outside the courtroom. Inside, he is a veteran battler, district attorney since 1961 and, before that, an assistant district attorney for several years.

Kirk said, "He can get a fair trial here if he can get one anywhere."

THAT SEEMED TO BE the general feeling of Wichita Falls citizens Wednesday — a certain pride in knowing that their city had been chosen as a place where Jack Ruby could get a fair trial.

Sheriff Jim Voyles, 52, wouldn't talk about security at the jail. But rumor has it that Ruby probably will be assigned an 8 by 10-foot cell on the fifth floor of the jail.

Here he would be isolated — about 25 or 35 feet from the nearest prisoner. The cell contains an iron bunk, a lavatory and a commode without a lid.

This cell would be about 30 feet from the elevator that could

be used to carry Ruby to the third floor. From the elevator to the courtroom door on the third floor is about 10 paces.

ASKED ABOUT THE FOOD in his jail, Sheriff Voyles said, "Well, we've had men up there who've been in jails all over the country and they tell us that we serve the best meals."

He said he feels the courthouse will accommodate the hoard of newsmen who will converge on Wichita Falls. Hundreds of reporters from all over the world covered the Dallas trial.

Sheriff Voyles indicated that a large jury dormitory on the fourth floor may be converted into a pressroom.

Magazine and newspaper representatives were phoning Wichita Falls motels Wednesday to reserve some of the city's 1,500 motel and hotel rooms.

AT THE WICHITA FALLS Chamber of Commerce, Jim Harwell, executive vice-president and general manager, was preparing press kits on the city for the expected crowd of reporters.

"We hope that during boring parts of the trial some of them will write about our community," said Harwell. He said a group of Wichita Falls businessmen invited Dist. Judge Louis T. Holland of Montague to move the Ruby trial to Wichita Falls.

One Wichita Falls citizen said, "Maybe after this trial, damn it, when I go to New York, they won't think I'm from some place in Kansas."

Mr. Mohr _____
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Mr. Trotter _____
Tele. Room _____
Miss Holmes _____
Miss Gandy _____

(Indicate page, name of newspaper, city and state.)

19A

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☐ Being Investigated

55 DEC 21 1966

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(Mount Clipping in Space Below)

Freeing of Ruby Under Bail Urged

Joe Tonahill of Jasper said Wednesday that Jack Ruby should be freed on bail so he could assist in preparing his case and have periodic psychiatric care.

Tonahill, a former Ruby lawyer, said Ruby acted in "patriotic insanity" when he shot Lee Harvey Oswald.

There had been discussion among lawyers that Ruby might lose his three years of jail time if lawyers succeeded in getting him released pending trial. Whatever Ruby's sentence, defense lawyers want the jail time subtracted from the prison term.

"In my opinion, no trial judge in Texas is cruel and inhuman enough not to give Ruby credit for days he's spent in jail since November of 1963," Tonahill said in a telephone interview.

He said the thought Texas law would support jail credit time.

Phil Burleson of Dallas and Elmer Gertz of Chicago, who now represent Ruby, declined to discuss the possibility of bail after the change of venue meeting Tuesday with Dist. Judge Louis T. Holland.

On the change of venue, Tonahill said, "I am certain that the state is greatly pleased because Assistant Dist. Atty. Bill Alexander has contacts with relatives and law enforcement people in Wichita Falls."

He mentioned that Burleson has a brother there, but insisted Alexander is better known.

Tonahill said he did not expect to participate in the second trial.

"If I handled the case, I would approach it on a complete lack of malice in the shooting," he said. Tonahill said the appeals court is "thunder" from malice and premeditation.

He said he also would introduce a survey by sociologists showing many citizens of Dallas were emotionally upset by the assassination of President John F. Kennedy.

Ruby, he claimed, was in "complete hysteria."

"Then, this time, I would put Jack Ruby on the witness stand and have him say anything that came into his mind to explain why he committed this stupid, foolish act."

Tonahill also warned that Burleson may be replaced by a "more mature Texas lawyer."

"I would have moved for bail on the very day the reversal became final," he said. "It is amazing to me that he is still in jail."

Mr. Tolson
Mr. Mohr
Mr. Wick
Mr. Casper
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Mr. Conrad
Mr. Felt
Mr. Gale
Mr. Rosen
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Mr. Tavel
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Tele. Room
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Miss Gandy

(Indicate page, name of newspaper, city and state.)

19A

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Submitting Office:

Dallas

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(Mount Clipping in Space Below)

Security Planned For Ruby's Trial

Wichita County Sheriff Jim Voyles told The Times Herald Wednesday that his department would take special security measures when Jack Ruby is transferred to jail there.

Convicted and under the death sentence for the murder of presidential assassin Lee Harvey Oswald, Ruby will be retried on that case in Wichita Falls.

District Judge Louis T. Holland of Montague announced the new trial site Tuesday after conferring for more than an hour with attorneys for the defense and the prosecution.

NO TRIAL DATE has been set but Sheriff Voyles said he understood he could expect to have Ruby transferred to his custody around Feb. 1.

Ruby has been in the Dallas County jail since Nov. 25, 1963, one day after he gunned down Oswald in the basement of the Dallas City Hall as millions watched on television.

"I'm not at liberty to say right now just what precautions we'll take," Sheriff Voyles said. "I know very little about it at this time."

He indicated that security in the Wichita County jail would be "along the lines" of that afforded Ruby in Dallas during the last three years.

RUBY HAS HAD ^{attendants} around the clock during his stay in the Dallas County jail. The only times he left it after spending the first night of his incarceration in the city jail were to attend some of the numerous legal proceedings in the case.

Dallas County Sheriff Bill Decker told The Times Herald that Ruby is currently kept in a 3-bunk corridor adjacent to the chief jailer's offices and is segregated from other prisoners.

"They can see him go by," Sheriff Decker said, "but no other prisoners ever come in contact with him."

Wichita Falls was named the site of the retrial Tuesday when a venue change ordered by the Court of Criminal Appeals became effective.

Mr. Tolson _____
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Mr. Tavel _____
Mr. Trotter _____
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Miss Holmes _____
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(Indicate page, name of newspaper, city and state.)

229
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(Mount Clipping in Space Below)

Second Ruby Trial Seen Shorter

By WAYNE KING
Staff Writer

The second murder trial of Jack Ruby will be shorter and smoother than his Dallas trial which resulted in conviction and a death sentence, Dist. Atty Henry Wade thinks.

But defense attorney Phil Burleson disagreed, saying, "I don't see how the new trial can be any shorter than the first one."

Speculation about the new trial was widespread Wednesday in the wake of Dist. Judge Louis T. Holland's announcement that it will be held in Wichita Falls possibly in February.

WADE SAID HE expects a shorter trial because defense attorneys have indicated they will base their defense on murder without malice instead of insanity.

"Much of the time in the first trial was taken up with defense efforts to establish that Ruby was acting under the influence of psychomotor epilepsy when he shot Lee Harvey Oswald," said Wade. "I don't expect them to raise that issue again."

Burleson agreed that the defense will not raise that issue, but said the testimony of different witnesses will make the new trial as lengthy as the first one.

"OUR POSITION is that at most Ruby is guilty of murder without malice," he said. "Most news media which have quoted us have left out that distinction."

Ruby's attorneys will file several motions in the near future, including one to suppress certain evidence, Burleson said. Judge Holland said Tuesday he will hold pretrial hearings in Dallas.

The new trial for Ruby, under a death sentence since March 1964 for the murder of accused presidential assassin Oswald, was ordered by the Texas Court of Criminal Appeals Oct. 5 in reversing Ruby's conviction.

JUDGE HOLLAND, appointed presiding judge after trial Judge Joe B. Brown excused himself from the case, announced that he will trade benches with Judge Arthur Tipps of Wichita Falls and preside over the new trial.

Dist. Atty. Stanley Kirk of Wichita Falls will take charge of the prosecution as a result of the judge's order.

Wade said he expects no conflict to develop, however. "Stanley and I are close friends, and we'll have a meeting soon to work out our plans," he said.

Conviction of Ruby for murder with malice will again be sought, Wade said.

"There's no question that we will seek the death penalty," he said after a telephone conversation with the Wichita Falls district attorney Wednesday. "The facts of the case are the same."

Wade said he expects to meet with Kirk "several times" to discuss the case.

Mr. Tolson _____
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Miss Holmes _____
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(Indicate page, name of newspaper, city and state.)

22A

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Submitting Office:

☐ Being Investigated

Dallas

55 DEC 11 1966

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Wichita Falls Mayor Says Trial Not Sought

Staff Special to The News
LAS VEGAS, Nev. — Wichita Falls Mayor R. C. Rancier, attending the National League of Cities convention here, said Tuesday he didn't believe Jack Ruby, accused killer of Lee Harvey Oswald, could get a fairer trial in Wichita Falls than in Dallas.

"I feel Ruby could get as fair a trial in Dallas as in any other part of the state," said Rancier, after receiving the news that District Judge Louis Holland had granted a change of venue to Wichita Falls for the former Dallas nightclub operator.

"Wichita Falls didn't seek to get the trial," said Rancier, an attorney. "Some cities did, perhaps because of the economic advantage of it. If I were in the motel business, I guess I would be interested in a great many people coming to town. But otherwise, the trial will not be of great import to the people of Wichita Falls."

Rancier added that it "made me mad when Dallas was unjustly criticized in the aftermath of the Kennedy assassination. It was an emotional matter. There will be no emotionalism in Wichita Falls over it at all."

Rancier said he believed Ruby could get a fair trial anywhere in the state, since jury selection would be painstakingly to assure the panelists could adjudge Ruby impartially and

make a decision based only on the facts presented.

"There's nothing distinctive about Wichita Falls in that regard. I couldn't say why our city should have been selected. The judge could just as well have selected Amarillo or Fort Worth. But the size of the town may have had something to do with it. It's a substantial and stable community and is representative of the state.

"I believe this is something the city will take in its stride. I don't think people will be unduly excited about it.

Mr. Tolson _____
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13A

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Ruby to Be Tried At Wichita Falls

By JOHN GEDDIE

The second Jack Ruby murder trial will be held in Wichita Falls before Dist. Judge Louis T. Holland.

Judge Holland announced the change of venue Tuesday morning after meeting with state and defense attorneys.

No trial date was set and Judge Holland said pretrial hearings will be held in Dallas.

A change of venue was ordered by the State Court of Criminal Appeals when it reversed Ruby's death penalty conviction by a Dallas jury.

Judge Holland, the Montague jurist who was appointed to the case after Dist. Judge Joe B. Brown withdrew, said the case will be scheduled "possibly in February."

Holland emphasized that his "ground rules" for press coverage will be based on Supreme Court and Court of Criminal Appeals opinions concerning the Dr. Sam Sheppard and Billie Sol Estes cases.

Attorney Phil Burleson of Dallas emerged from the private session with Judge Holland, Dist. Atty. Henry Wade and others, and announced he had "no serious objections" to the new site.

There were indications, however, that Ruby representatives may poll public opinion in Wichita Falls before a decision on whether to object to the city, where jurors would be chosen from an estimated county population of 140,000 persons.

Dist. Atty. Wade said he was pleased with the selection.

"We have about five or six new witnesses we are going to use," Wade said.

The Wichita Falls district attorney is Stanley Kirk. Wade said, "We'll assist him in any way we can—and I'm sure he will assist us."

Judge Holland told attorneys behind closed doors Tuesday that he expects the second trial to move faster than the month-long case which ended March 14, 1964.

Several major changes are expected: Controversy and arguments over the admission of Ruby's testimony (which

strongly indicated premeditation in the shooting of Lee Harvey Oswald) were eliminated when the appeals court ruled out the testimony.

Ruby attorneys said that elimination of the testimony leaves them a good chance for a murder-without-malice conviction.

With that possibility, Ruby attorneys indicated they may refrain from producing long testimony about Ruby's mental condition.

The district attorney has insisted he will produce murder-with-malice evidence and again request the death penalty.

Mr. Mohr
Mr. Wick
Mr. Casper
Mr. Callahan
Mr. Tavel
Mr. Trotter
Tele. Room
Miss Holmes
Miss Gandy

(Indicate page, name of newspaper, city and state.)

1D

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Miss Gandy _____

Wichita Falls It for Ruby

Jack Ruby, once convicted and under death sentence for the murder of Lee Harvey Oswald, will be tried again on that case in Wichita Falls.

District Judge Louis T. Holland of Montague announced the new trial site Tuesday after a conference of more than an hour with attorneys for the defense and prosecution.

No trial date has been set. Judge Holland said a venue change ordered by the Court of Criminal Appeals became effective Tuesday.

H.H.

(Indicate page, name of newspaper, city and state.)

1
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Talk Due on Ruby Trial Site

Dist. Judge Louis T. Holland will meet with attorneys Tuesday morning to set a new trial site in the Jack Ruby murder case.

The Montague judge said Monday he will meet with prosecutors and Ruby attorneys at the Dallas County Courthouse.

Ruby's brother, Earl Ruby of Detroit, and attorneys Elmer Gertz of Chicago and Phil Burleson of Dallas met Monday with Dist. Atty. Henry Wade at Wade's office.

The lawyers were instructed last week by Judge Holland to agree on an informal discussion date. Wade called Judge Holland and the parties planned the Tuesday meeting.

Burleson said he did not know if the meeting will be private.

He added that the change of venue site will be discussed but "any final setting (date for trial) would be extremely premature."

The change of venue, ordered by the Court of Criminal Appeals when the Ruby conviction was reversed, will be in the hands of Judge Holland, Burleson said.

He could try the case or agree to another presiding judge.

Burleson was asked for comment on reports that Wichita Falls is first in consideration for the new trial site.

"This is just another one of those things I learn from the news media," he answered.

Earl Ruby, Burleson said, will remain in Dallas to aid in pre-trial preparation and, in a "broad sense," to help in pre-trial investigation.

"He has a vivid interest in this case, of course," Burleson explained.

Jack Ruby was tried in Dallas in the court of Dist. Judge

Joe B. Brown. Judge Brown left the case during appeals and Judge Holland was appointed to hear further motions.

Judge Holland presided over a brief sanity trial in which Ruby's objecting attorneys refused to present evidence. Ruby was found sane.

On Oct. 3, the appeals court overturned the murder conviction and ordered that any new trial must be outside Dallas County.

Mr. DeLoach
Mr. Mohr
Mr. Wick
Mr. Casper
Mr. Callahan
Mr. Conrad
Mr. Felt
Mr. Gale
Mr. Rosen
Mr. Sullivan
Mr. Tavel
Mr. Trotter
Tele. Room
Miss Holmes
Miss Gandy

(Indicate page, name of newspaper, city and state.)

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"The Dallas Morning News"
Dallas, Texas

Date: 12/6/66
Edition:
Author:
Editor: Jack B. Kruger
Title:

Character:
or
Classification:
Submitting Office: Dallas
☐ Being Investigated

55 DEC 21 1966

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Ruby Visited By Brother And Lawyers

By JOHN GEDDIE

Jack Ruby was visited Friday by his brother, Earl Ruby of Detroit, and attorneys Elmer Gertz of Chicago and Phil Burleson of Dallas.

The three men apparently went to the Dallas County Jail to discuss with Ruby further court proceedings.

Asked if they talked about having Ruby released on bail or pleading guilty in return for a prison term, Burleson replied, "We talked about all aspects of the case."

He said that Gertz, who with Sol Dann of Detroit aided in Ruby appeal issues, and Earl Ruby will be in Dallas for "two or three days."

The defense lawyers and representatives of the district attorney's office plan to meet next week with Dist. Judge Louis T. Holland of Montague. The Court of Criminal Appeals ordered, when Ruby's death penalty conviction was reversed, that a new trial must be held outside of Dallas.

Many observers feel that Judge Holland will move the trial to Wichita Falls. Hotel owners there reportedly are preparing for a mass of visitors.

The case is expected to be set for January or February.

The question of whether Ruby shot Lee Harvey Oswald Nov. 24 in the basement of City Hall will again be no more than a technical issue if the case is retried.

In the Court of Criminal Appeals reversal opinion, it was acknowledged that Ruby shot and killed Oswald.

"Countless thousands witnessed the shooting on television," the opinion explained.

Lawyers will, however, be faced with deciding whether persons who witnessed the shooting on television may be called as jurors. The appeals court declined to discuss the question after strongly worded inquiries by the district attorney's office.

Dist. Atty. Henry Wade stated he will again ask for a death penalty verdict. Defense lawyers indicated they feel that Ruby is guilty of no more than murder without capital offense.

Mr. Tolson
Mr. DeLoach
Mr. Mohr
Mr. Bishop
Mr. Casper
Mr. Callahan
Mr. Conrad
Mr. Felt
Mr. Gale
Mr. Rosen
Mr. Sullivan
Mr. Tavel
Mr. Trotter
Tele. Room
Miss Holmes
Miss Gandy

(Indicate page, name of newspaper, city and state.)

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"The Dallas
Morning News"
Dallas, Texas

Date: 12/3/66
Edition:
Author:
Editor: Jack B. Kruger
Title:

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Classification:

Dallas

55060

A Better Climate For Ruby?

By Edward Linn

Linn is a freelance writer who has studied the Jack Ruby case.

THE SECOND trial of Jack Ruby will probably be held next January or February in the tiny town of Montague, Tex., the county seat of Montague County. The state will once again ask the death penalty.

Montague (pronounced Montaigne) is about 100 miles northwest of Dallas and is the home town of Judge Louis T. Holland, who was appointed to take over the case from Judge Joe B. Brown. The town consists of little besides the courthouse. There is one title insurance company, one cafe and a couple of filling stations. There is no motel closer than 12 miles away.

If the normal routine is followed for a change of venue, the local district attorney will select the jury, because he is presumed to be more familiar with the local people, the local customs and the local prejudices, and then turn the trial over to the Dallas District Attorney's office.

Dallas DA Henry Wade won't be there himself because he has an office to run, but Bill Alexander, who was the actual prosecuting attorney in the original trial, will prosecute again—aided by Frank Watts, who was the No. 4 man at the first trial. The No. 3 man, A. D. "Jim" Bowie, is now a Criminal Court judge.

Wrong Information

AFTER THE ORIGINAL verdict was overturned, there were stories out of Dallas that the state's murder-with-malice (death penalty) case had gone out the window when the Texas Court of Criminal Appeals threw out Sgt. Pat Dean's testimony on Ruby's "oral confession." (The ruling was based on Texas law and not, as was automatically assumed, on recent Supreme Court decisions.)

Because murder without malice carries a sentence of from 2 to 99 years, the best of the stories is that Jack Ruby was already eligible for parole and would probably walk out a free man.

This was wrong on every possible count. "We have just as good a chance right now of getting a death verdict," Wade says, "as they have of getting five years."

One of the Appeals Court Judges, K. K. Woodley, wrote in his concurring opinion that "there is sufficient evidence aside from Dean's testimony to sustain the jury's verdict." (What effect will that statement have on the qualifications of prospective jurors for the second trial who read newspapers?)

Dean's testimony established motive and premeditation, but under Texas law, malice does not require proof of

either. "Malice" . . . is a condition of the mind which shows a heart regardless of social duty and fatally bent on mischief, the existence of which is inferred from acts done or words spoken." Malice can be formed, the Courts have ruled, "in the twinkling of an eye."

The fact that Ruby was carrying a loaded gun (itself a violation of the law) when he walked down the ramp of the City Hall basement that Sunday morning can be offered as malice in itself. Other policemen testified that while they were struggling with Ruby in the basement he had cried out, in what were patently spontaneous (and therefore admissible) statements such things as "I hope I killed the sonofabitch," and "I intended to shoot him three times." They will presumably be available to testify again.

A Unique Turn

AND, MOST INTERESTING of all from a legal point of view, it is possible that in another unique turn, Ruby hung malice on himself during those special hearings that were held during his long struggle to disengage himself from one of his original attorneys, Joe H. Tonahill.

On the hearing to exclude counsel in May, 1963, he took the stand, was sworn and in a long, rambling, painful monologue he kept drifting back to that disastrous Sunday morning until he was describing how he had found himself walking down the ramp just as Oswald was coming out.

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"It certainly was a terrible Act of God, Your Honor, that he had to come down at that particular time. It was when I first met the man I made deceased. I saw him and I wanted to do away with him—that is the frame of mind I was in at that time . . ."

Who knows what is admissible in a criminal trial anymore? While it was certainly a statement made while he was under arrest, it was also a statement he insisted on making over the advice of his attorneys—another bit of forgiveness he generously volunteered on the stand.

On the other hand, there is no indication that he was warned that anything he said during the hearing could be used against him in the event of another trial.

The question before the jury has ever really been whether Ruby killed Oswald with malice aforethought. The underlying defense has always been that Ruby is the man—and an unstable one—who killed the man who assassinated the President.

A malice verdict does not carry a mandatory death sentence anyway. It is possible to come out with a lighter sentence on murder with malice than on murder without malice. A Texas

jury is omnipotent; it not only comes back with the verdict, it sets the punishment. On a malice case it can come back with anything from 2 years to death and, if the sentence is anything under 10 years, it can order a suspended sentence.

Still, by going for murder with malice, the prosecution exerts some control over the temper of the jury. Each prospective juror, to qualify, has to assure the defense that he could give a man a suspended sentence on a cold-blooded murder and—most important—he has to assure the prosecution that he has no religious or moral convictions against capital punishment.

In the original trial, 62 jurors eliminated themselves on that account, and while it is obviously the easy way out for anybody who wants to duck jury duty, it is just as obvious that the defense loses the most liberal and sympathetic of the prospective jurors—the kind of people who would be the best defense jurors under any circumstances.

What Is 'Life'?

WADE IS WILLING to make one deal—for life imprisonment. That isn't as bad as it sounds. In Texas, parole laws are so liberal that life can mean as little as 7 years.

The way the law works, however, poses a problem for Ruby's attorneys. A lifer becomes eligible for parole after 15 years, but prisoners get credit for 50 days "good time" for every 30 days they serve. (A trustee gets 2-for-1.) In addition, a prisoner can pick up 30 days every year by donating a pint of blood.

Giving Ruby good time and an annual donation to the blood bank, he would be able to serve 15 years in 3 years and 3 months.

But good time applies only to prisoners in the penitentiary. Ruby has not been in the penitentiary. He has been in the county jail pending his appeal. The best a man can get in jail is day-for-day. The worst he can get is no time at all. The sentencing judge has freedom to decide whether to start a man's sentence from the time of his original arrest, the time of his original conviction or the time he actually begins to serve in the penitentiary.

A judge rarely withholds credit for the time spent in jail, and yet Texas attorneys do not consider it wise to break up jail time, after a reversal like Ruby's, by getting their clients out on bail.

Assuming Ruby does get his day-for-day credit for the 3 years he has served, he has nonetheless already lost the 2 years he might have had for good time.

Assuming another stiff conviction and another round of appeals, the possibility exists that Ruby could lose as

much as 5 years before he goes to the pen.

Phil Burleson, 34, the Dallas lawyer who has been with the case from the beginning, is fully aware of the mathematics involved. "If Henry Wade wants to talk about life, along with his recommendation that Jack be paroled as soon as he becomes eligible, I'd have to give an awful lot of consideration to it."

No Talk of a Plea

THERE HAS BEEN, however, no talk of taking any plea. Burleson is the lead lawyer at the moment, by order of the court, but even if he were offered a deal that sounded interesting to him, he would have to consult with not only Ruby and his family but with four other lawyers in the case. They are Sol Dann of Detroit, the lawyer for the Ruby family; William Kunstler of New York and Sam Houston Clinton of Austin, the American Civil Liberties Union entry; and Elmer Gertz of Chicago, a trial lawyer of considerable reputation.

Prosecutor Alexander says tartly, "When I started lawyering, the old lawyers used to say, 'If there's no doubt that he did what he did and there's a chance of his getting the electric chair,

whatever else you can get and then worry about getting it cut down later.' They're crucifying that poor son-of-a-bitch on the cross of their own thirst for publicity."

But Burleson says, with equal force, "If a life sentence means even 10 more years for Jack it's tantamount to the death penalty. At his age, with what he's gone through, he can't survive it. To all practical purposes he's been in solitary confinement for three years, in that he's been unable to mix with the other prisoners. This has been tremendous psychological punishment."

Ruby has been kept not in a cell, but in a 15-foot x 12-foot corridor which leads to the chief jailer's office so he can be kept under observation at all times.

From 'Hero' to 'Goof'

WHEN RUBY FIRST went to jail, he was in high spirits. The mail was pouring in and he felt that he was looked upon as a hero. That changed after the trial began and he came to understand that the state was really out to execute him. As the trial went on and he heard himself being called "a mental defective," "a latent homosexual," and a "goof" by his own lawyer, he fell into a deep depression. Where he had originally been careful about his appearance, he began to lose interest. One morning, he even refused to get dressed for court, until the Chief came in to lay down the law.

The verdict came as no shock to him, but soon afterwards, with the death

sentence hanging over him, he fell into a period of deeper depression which extended through the following months.

During this period he began to talk about all the Jews in the country being herded into boxcars and killed because of what he had done. Although the prosecution is convinced that this was all just part of a plan to set up an insanity plea, it is really not out of character. A man who takes it upon himself to be the avenger for the whole country is assigning himself a role of some importance.

Early one morning, he faked sleep so the guard would leave him, poured water on the floor and tried to put his finger into the light socket, but the jailer came running back.

When the weather finally broke, he seemed to come back to life. He began to read the newspapers again. He played dominoes, checkers and card games with his jailers.

"I really flubbed one of them. I killed a man I was going to the electric chair anyway. All I did was trade places with him."

About the only thing he has to look forward to, from day to day, are the five phone calls he is allowed to make to the outside world. For a time, he was also writing notes to almost all his

old friends asking them to visit him. Sheriff Bill Decker seems to have permitted almost everybody who responded to the notes to see him.

One of the visitors has been Sgt. Pat Dean. Dean had originally met Ruby while he was driving his patrol car through a downtown Dallas beat, which included Ruby's Carousel Club. Ruby is a cop buff, and Dean, like most other cops, felt safe in going into the Carousel when there was trouble because he knew that Ruby, a good fighter himself, would pitch in and help.

When Dean, who was in charge of security when Oswald was shot, turned out to be the star witness against Ruby, one would have assumed that some strain had been placed upon their friendship. Still, the two men never seemed to feel at all unkindly toward each other.

Irreversible Fact

ALTHOUGH DEAN is out of the new trial, there is no way of really wiping out the fact that the first trial did take place. The new jury is going to know that another jury gave Ruby the death penalty.

Beyond that, the feeling between lawyers has reached the point where Ruby can well become nothing more than the occasion for the battle. The DA's office believes that the Criminal Court of Appeals overturned the case on something other than its merits, an attitude clearly reflected in the petition for a rehearing—which is normally a routine legal move. In this instance, the petition is sharply worded and insulting. And Wade's public comment that he was only asking the judges to read the trial transcript because "they obviously didn't do it the first time" comes close to accusing the court of misconduct.

Both sides are made vulnerable by the history of the intervening three years. Henry Wade has long let it be known that he would be willing to settle for a life sentence.

On the defense side, almost everybody has, at one time or other, pleaded that Ruby was insane.

Assuming that the defense lawyers do believe that Ruby is legally insane, they are faced with a problem of tactics. The defense is entitled to ask for a psychiatric examination before trial, but what profit would it be to Ruby to go into a mental hospital when he would still have to stand trial when he got out.

However, their client does not seem to be primarily interested in saving his life.

Consuming Fear

HIS OVERRIDING obsession—the consuming fear that has led him to testify at all the hearings and, even before that, to request the lie detector examination by the FBI and the interview with Chief Justice Warren—is that there is a plot to tie him to the assassination. In reading Ruby's testimony, you cannot escape the conclusion that he would rather die as a man who thought, however wrongheadedly, that he was committing a patriotic act (his current view of himself) than to go free with the smell of a traitor on him.

Ruby has become haunted by a trip he took to Cuba in 1959, apparently to set up a deal to sell guns to Castro, who was then being treated as a hero in the American press. Soon afterward, he shipped four guns to a friend in Cuba.

During his period of deepest depression, he seemed to suffer, briefly, from the delusion that one of those guns had somehow got into Oswald's hands, which would mean that they could be tied together and that he however indirectly and innocently, contributed to the death of the man he always refers to as "the beloved President Kennedy."

It is a chilling commentary on our times that Ruby's delusion has come to be no delusion at all. The books attacking the Warren Commission Report do tie Ruby, by implication and innuendo, into a conspiracy.

Ruby's trial is just around the corner and it will be difficult to find jurors who do not know that some doubt has been cast about Ruby's true role in the assassination.



Associated Press Photo

Jack Ruby and one of his lawyers, Sol Dann.

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COURT REAFFIRMS RUBY TRIAL RULING

AUSTIN, Tex., Nov. 16 (UPI) —The Texas Court of Criminal Appeals refused Wednesday to reconsider its decision throwing out Jack Ruby's death sentence —a refusal a prosecutor said "left us adrift in an uncharted legal sea."

Ruby was sentenced to death for murdering Lee Harvey Oswald, President Kennedy's assassin, but the court threw that out last month and ordered a new trial, directing that it be held outside Dallas.

The court affirmed that decision today, without written opinion. The state was expected to let the matter end there.

Assistant District Attorney Bill Alexander said:

"We are disappointed that the court laid down no guidelines for future action in cases of this type. They have left us adrift in an uncharted legal sea. We feel they could at least be helpful in delineating proper action in future cases of this kind. We had hoped they would take this opportunity to straighten out the chaos they created in the wake of change of venue."

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Court Stands Firm on Ruby

Austin, Tex., Nov. 16 (UPI)—The Texas Court of Criminal Appeals refused today to reconsider its decision throwing out Jack Ruby's death sentence—a refusal a prosecutor said "left us adrift in an uncharted legal sea."

Ruby was sentenced to death for murdering President Kennedy's assassin Lee Harvey Oswald, but the court threw that out last month and ordered a new trial, directing that the trial be held outside Dallas.

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U.S. Attorney General

UPI-41

(RUPY)
 AUSTIN, TEX.--THE TEXAS COURT OF CRIMINAL APPEALS REFUSED TODAY
 TO RECONSIDER ITS RULING THAT GAVE JACK RUBY OF DALLAS A NEW TRIAL
 ON HIS DEATH SENTENCE FOR THE MURDER OF PRESIDENTIAL ASSASSIN LEE
 HARVEY OSWALD.
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UPI-7S
(RUBY)

AUSTIN, TEX.--THE TEXAS COURT OF CRIMINAL APPEALS SAID TODAY IT WILL HEAR ARGUMENTS NOV. 9 ON PROSECUTORS' ATTEMPTS TO GET THE DEATH SENTENCE IMPOSED ON JACK RUBY FOR SLAYING THE MAN WHO ASSASSINATED PRESIDENT JOHN F. KENNEDY.

THE COURT REVERSED THE RUBY DEATH SENTENCE OCT. 5 AND ORDERED A NEW TRIAL TO BE HELD SOMEWHERE OTHER THAN DALLAS.

THE DALLAS COUNTY DISTRICT ATTORNEY'S OFFICE ASKED THE COURT TO RECONSIDER ITS RULING. THAT PETITION WILL BE HEARD NOV. 9.

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WASHINGTON CAPITAL NEWS SERVICE

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Wade Brief Hits Ruby Reversal

Dist. Atty. Henry Wade charged Thursday that the Texas Court of Criminal Appeals "obviously shirked its duty" in delivering the Jack Ruby trial reversal opinion.

The district attorney filed 23 pages of accusations and pleas for "intelligible" answers in the brief asking for a rehearing on the Ruby decision.

The strongly worded brief accused the appeals court of legal mistakes in four major areas — on admissibility of evidence to producing "sheer fiction" in comparing the Ruby trial with the Billie Sol Estes and Dr. Sam Sheppard cases.

THE BRIEF, submitted by Wade and Assistant Dist. Atty. James Williamson, attacked the court's ruling on Dallas prejudice and argued that speculation about the proximity of the courtroom and assassination site, noted in the court's opinion, is "wholly nonsensical and unrealistic."

The first 12 pages of the brief cited prior appeal court rulings which, according to Wade, allowed a Dallas police officer to testify that Ruby admitted planning the shooting of Lee Harvey Oswald.

Wade argued that the Austin court reversed the case because Ruby's statements were not spontaneous. The statements should have been allowed in evidence because, under another Texas law, the defense "opened up" the conversation, he said.

"It cannot be fairly disputed or ignored that under the record Appellant (Ruby) himself opened up such a subject of his premeditation prior to his entry into the (City Hall) basement."

WADE ARGUED that Dist. Judge Joe B. Brown would have violated the appeals court's own rules if he had excluded the premeditation evidence.

In his fair trial argument, Wade wrote that the court's "general statement" that the Ruby decision was based on Estes and Sheppard rulings "is a mere unsupported and undemonstrated conclusion of this court."

He called the court's reversal opinion "completely sterile" as to analysis or guidelines by which judges and lawyers could learn about similar cases.

Among a list of "unanswered questions" listed in the brief's change of venue argument, Wade asked, "Did any newspaper or other news media, in connection with the Ruby case, ever editorially or otherwise call on public officials or prospective jurors to secure Ruby's conviction, to disregard any plea of insanity or to suggest the extent of penalty, if any, Ruby should receive?"

IN THE Sheppard case, he said, publicity was of a different nature and the jurors were not shielded from its prejudice.

The brief also claimed the appeals court "erred and continues to err" in permitting Ruby lawyer Phil Burfelson and former Ruby lawyer Joe Tonahill to announce that the reversal reduced Ruby's case to murder without malice.

"Certainly such extrajudicial statements obviously made for the purpose of brainwashing and prejudicing prospective trial judges and prospective jurors ... are erroneous and unjustified."

The court was accused of usurping the jurisdiction of the Dallas trial court in ordering a change of venue to another county.

"CERTAINLY SOME, if not all, of the facts and circumstances which this court has seized upon in holding that in February, 1964, Ruby could not and did not receive a fair trial in Dallas County, may have changed in two years.

"This court's jurisdiction is limited to determining and setting out in intelligible language why it holds the venue should have been changed from Dallas County as conditions existed in 1964," Wade's brief said.

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(Indicate page, name of newspaper, city and state.)

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"The Dallas
Morning News"
Dallas, Texas

Date: 10/21/66
Edition:
Author:
Editor: Jack B. Kruger
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Submitting Office: Dallas
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The End of the Trial?

Inc: Ruby covered the Jack Ruby trial in February and March, 1964. He took with a member of Ruby's counsel, Phil Burleson, reveals that the ultimate outcome now could be.

By INEZ ROBB



JACK RUBY, the forgotten man in the presidential assassination tragedy in Dallas on Nov. 22, 1963, may never again stand trial for the murder of John F. Kennedy's alleged assassin, Lee Harvey Oswald, IF:

If his attorneys can work out an agreement as to Ruby's eventual fate that is satisfactory to the State of Texas, the courts and to Ruby himself.

"I am very hopeful that such an agreement can be reached," says Phil Burleson, young Dallas attorney and the only one of Ruby's six lawyers who has been on the defense case from the beginning.

"It remains to be seen," Mr. Burleson said in a lengthy interview by phone to his Dallas office. "Much depends on whether the state is reasonable in its demands."

Certainly, neither the defense nor Ruby will settle for life imprisonment in return for a plea of guilty of murder, as suggested by District Attorney Henry Wade of Dallas, who successfully prosecuted the case in 1964.

Mr. Burleson believes the state's case against Ruby was shattered completely last week when the Texas Court of Criminal Appeals reversed Ruby's conviction and death sentence and ordered a new trial.

Ruby was convicted of murder with malice largely on the testimony of Detective Sergeant Patrick T. Dean, a Dallas police officer. Mr. Dean swore that Ruby, minutes after he killed Oswald in the basement of Dallas's City Hall on Nov. 24, told Mr. Dean that he had planned to kill Oswald, if he got the chance, after seeing Oswald in the police lineup the night of the presidential assassination.

It is this testimony, vital to the state's charge of murder with malice, that was struck down as inadmissible evidence by the appeals court.

"This means that Dean and his testimony are completely out of the case in any future trial," Mr. Burleson said. "There are serious doubts that Ruby ever made any such statement. Forrest Sorrells, a Secret Service Agent, was with Dean when Ruby was supposed to have made that statement.

"Sorrells subsequently testified before the Warren Commission that Ruby was not warned of his rights to counsel or that whatever he said might be held against him. Sorrells also told the commission that if Ruby made any statement of premeditation or malice, he — Sorrells — didn't hear it."

The Secret Service agent was not called to testify at Ruby's trial.

Mr. Burleson's cautious optimism about the possibility of an out-of-court settlement of Ruby's fate gains some support

from an interview with District Attorney Wade. Ruby's prosecutor, in the Dallas Times-Herald. Mr. Wade, a budding prosecutor, virtually said he doubted the state had much chance in a second trial.

However, Mr. Burleson and the five other lawyers now defending Ruby without fee must consider the possibility of a second trial.

No decision has been made as to a plea, but Mr. Burleson said "my intention is to consider a plea of murder without malice." He seriously doubts that the elaborate and extremely erudite medical plea of psycho-motor epilepsy, on which the defense based its case in 1964, will be considered.

The Criminal Appeals Court not only ordered a new trial for Ruby, but ordered that it be held outside Dallas County. Ruby's counsel has not yet considered just where in Texas it would prefer to try the case again, if necessary.

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The Wall Street Journal _____
The National Observer _____
People's World _____

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"I think Ruby might even get a fair trial in Dallas today," Mr. Burleson said. "Certainly, Ruby can get a fair trial some place in Texas."

If a second trial is necessary, Mr. Burleson's best guess is that it will be called some time between Jan. 15 and March 15, 1967.

There are a number of "IFs" for Jack Ruby in the immediate future. One big "IF" is that Ruby could walk out of court a free man "IF" convicted of murder without malice during a second trial and "IF" he should be given credit for time already served in the county jail.



JACK RUBY

(Mount Clipping in Space Below)

Bizarre Case

A man walks unmolested into the basement of a Dallas police building, pulls out a gun and, in full view of millions of television viewers, fatally shoots an accused presidential assassin in police custody. The law presumably takes its course, the man is tried, convicted of first degree murder and sentenced to die. Almost three years later, the Texas court of criminal appeals reverses the conviction and orders a new trial.

That, in a nutshell, is what has happened in the case of Jack Ruby since that fateful weekend in November, 1963. Whatever happens to the case from now on and whatever the ultimate judgment on Ruby, the public has the right to conclude that something surely must be wrong with our system of law enforcement and jurisprudence.

In spite of the certainty that Ruby shot and killed Lee Harvey Oswald, it is difficult to argue with the decision of the Texas appellate court which, at least until another indictment is filed, makes Ruby legally innocent of the crime. For the court was

Bound by Ruling Of High Court

bound by previous decisions of the United States supreme court strictly limiting the admissibility of confessions or admissions. It was bound, too, by the patent incompetence of the various Dallas police authorities, who permitted Ruby to shoot Oswald and then allowed the incarceration of Ruby to turn into a wild circus, such as they had allowed to happen with Oswald before.

The court was also bound by the incredibly injudicious handling of Ruby's trial by the presiding judge, who permitted the trial to turn into a Roman spectacle and then while the case was still on appeal, decided to write a book on the subject.

Some blame must be assessed on several of Ruby's attorneys, who seemed less concerned with having a fair trial than they were in participating in a theatrical sensation.

There was, however, one particularly strange aspect to the decision of the Texas high court. That court held that the trial judge should have moved the trial from Dallas to another county where potential juror bias would not have been as great.

The court's theory was that pretrial publicity diminished the chances for a fair trial and, in a unique foray into social psychology, also that the Dallas jurors were determined to atone for the guilt that the city must have felt over the assassination. But it is difficult to understand how another Texas county can be found in which potential jurors have no prior knowledge or conviction about the case.

Mr. Tolson _____
Mr. DeLoach _____
Mr. Mohr _____
Mr. Wick _____
Mr. Casper _____
Mr. Callahan _____
Mr. Conrad _____
Mr. Felt _____
Mr. Gale _____
Mr. Rosen _____
Mr. Sullivan _____
Mr. Tavel _____
Mr. Trotter _____
Tele. Room _____
Miss Holmes _____
Miss Gandy _____

(Indicate page, name of newspaper, city and state.)

PART I, PAGE 22
MILWAUKEE SENTINEL
MILWAUKEE, WISCONSIN

NOT RECORDED

43

NO 1966

Date: 10/7/66

Edition: FINAL

Author:

Editor: HARRY SCOTT FORBES

Title: JACK RUBY

Character:

or

Classification: 62-

Submitting Office: MILWAUKEE

☐ Being Investigated

56 OCT 19 1966 47 2 10/66

And could it not later be argued that jurors in the Texas counties of Bexar, Harris or Jefferson convicted Ruby because they wanted to atone for the entire state of Texas for having allowed a president to be murdered there?

The sole issue is, and always has been, the state of Ruby's mind at the time he shot Oswald, whether the crime was premeditated and planned, or was the result of a momentary impulse, or whether Ruby was legally insane at the time, and thus innocent of any crime. It should not have taken almost three years to find out that this issue must be tried again.

The Ruby case is a reminder that our system of law and justice is far from perfect—something that we might well bear in mind when we are told, as we were recently by the American Bar association, that there should be less press coverage of crime. The Ruby affair would seem to prove beyond doubt that what is needed is more, not less public scrutiny of our legal processes.

JUDGE CELEBRATES, BELL IRA

Rehashing Ruby Trial

Jimmy Breslin

DALLAS, Oct. 7—Judge Joe B. Brown sat in his fourth-floor courtroom in the Dallas County Court-house yesterday, his glasses on, a short-stemmed pipe in his mouth and a flat expression on his face.

He was the judge in the trial of Jack Ruby. On Wednesday, a higher court overruled two important decisions he made. Now the Ruby case, and the murder of Lee Oswald, opens all over again. At a time when the public, a Lou Harris poll shows, generally mistrusts the Warren Commission Report.

Yesterday, Brown was hearing a minor criminal case. The jury seemed bored and the courtroom was quiet and nearly two-thirds empty. One Negro was in the room. He was the defendant.

A thin woman with a pinched face sat on the witness stand. She gave her name as Dora Scottino. She runs a food store owned by her family. She said she had been told that somebody was around the area trying to cash stolen money orders. She said she was on the telephone when her clerk came back to her with a money order. There were nine people in the store. The clerk said that a Negro, Jesse Rayware Johnson, had tried to cash the money order.

★ ★ ★

"What did you do then, Mrs. Scottino?" the prosecutor, a young guy with light hair, asked her.

"I opened the cash register drawer and took out my gun," the woman said.

"What did he do then?"

"Started to run."

"What did you do?"

"Pulled the trigger."

"Did you hit him?"

"Yes, in the leg."

"After you shot him what did he do?"

"Well, he fell down."

"And then, what did he do?"

She pursed her lips together and stuck out her pointy chin. "He used foul language." She felt she had just delivered a telling point.

"Very foul language," she said again.

The defense attorney stood up. "Now where was he when he used this foul language?"

"On the floor."

"And he was shot in the leg?"

"Yes."

DeLoach ✓
Mohr ✓
Casper ✓
Callahan ✓
Conrad ✓
Felt ✓
Gale ✓
Rosen ✓
Sullivan ✓
Tavel ✓
Trotter ✓
Tele. Room ✓
Holmes ✓
Gandy ✓

The Washington Post and Times Herald
The Washington Daily News
The Washington Evening Star
New York Daily News
New York Herald Tribune
New York Post
The New York Times
New York World Journal
New York World
Journal Tribune
The Baltimore Sun
The Worker
The New Leader
The Wall Street Journal
The National Observer
People's World

Date

NOT RECORDED
128 OCT 10 1968 OCT 7 1968

"Did you know for certain if he was the person who tried to cash the money order?"

"Well, the clerk told me."

"This colored boy here was the only colored boy in the store?"

She said yes. She now was finished as a prosecution witness. The defendant, Johnson, sat at the defense table in a red-checkered sports shirt and with a bullet hole in his leg.

★ ★ ★

AT 12:30, BROWN CALLED a recess for lunch. The big gray-haired judge went into an office off the courtroom and sat down with his feet up on a desk and had a cup of coffee.

"I don't like all these guns around here so much," he said. "We got the craziest gun laws. Anybody wants a gun can have one here. That woman there, she could have killed him over a money order."

"Do you want anything to eat, Judge?" a secretary asked.

"No, I'm not eating today. I was out celebrating Jack Ruby too much last night. I feel all right now, but I felt terrible when I got up this morning."

"You were glad they reversed you?" he was asked.

"Well, there was a death penalty involved here. But it also surprised the hell out of me that they reversed it on the change of venue. Why, Belli and Jack Ruby asked me to keep the trial in Dallas. Anyway, I'm out of the case now for good. You can get old handling this case. I'm glad it ain't mine."

★ ★ ★

MELVIN BELLI, who defended Ruby in the trial, was reached on the phone at his hotel in Houston. Belli exploded. "Judge Brown made his first mistake the day his mother told him to go to law school and he went there instead of staying home where he belongs. I asked for the trial to stay in Dallas? We spent two weeks making motions. I knew the decision would get thrown out because Brown wouldn't move the trial."

"Brown. You know what he'd keep saying to me at the trial? I'd use some common legal term and he'd call me up to the bench and whisper, 'I wish you wouldn't use that pig latin of yours, I don't understand the words.'"

"You don't hear the American Bar Assn. coming out with anything about the trial. Everybody knew we couldn't get a fair trial in Dallas. You never heard it from the American Bar Assn."

"The only thing you hear from bar associations is how nice judges and insurance company presidents are. Where were these bar associations in the civil rights movement? No, that's too worthwhile a cause for them. And the Ruby trial, they blame me. And they blame the press. Always the press. That's easier than blaming it on a judge making mistakes. Well, they can have it all to themselves this time. I'm going to Japan Monday."

NEAR THE END of the noon recess, Judge Brown stood by the window and said, "I have a book manuscript at the publishers in New York. With all this happening, I was thinking of maybe rewriting the last five chapters. But I don't know. I don't suppose it matters any more. The subject is pretty dead by now. We're talking about it here, but I guess it's pretty well died out everywhere."

"I don't think it is ever going to die down," he was told.

"You don't?" He seemed surprised. Then he went inside to his courtroom where Jesse Hayward Johnson was on trial. The pinched-faced woman who shot him sat in the witness room.

(Mount Clipping in Space Below)

Mr. DeLoach _____
Mr. Mohr _____
Mr. Wick _____
Mr. Casper _____
Mr. Callahan _____
Mr. Conrad _____
Mr. Felt _____
Mr. Gale _____
Mr. Rosen _____
Mr. Sullivan _____
Mr. Tavel _____
Mr. Trotter _____
Tele. Room _____
Miss Holmes _____
Miss Gandy _____

Ruby Lawyer Sees Chance Of Freedom

AUSTIN, Tex. (AP) -- A Texas appeals court on Wednesday overturned Jack Ruby's conviction for the slaying of Lee Harvey Oswald and ordered that the pudgy, former nightclub operator be given a new trial outside of Dallas County.

The Warren Commission found that Oswald was the man who assassinated President John F. Kennedy in Dallas on Nov. 22, 1963.

Ruby shot Oswald before live television cameras two days later.

Dist. Atty. Henry Wade of Dallas, the original prosecutor, said Wednesday that the state would again ask the death penalty for Ruby in a new trial. Defense lawyers expressed confidence, however, that Ruby would not receive another capital punishment verdict.

The conviction and death sentence were reversed by the Texas Court of Criminal Appeals, the highest state court in criminal cases.

KEY ELEMENTS

The reversal was based on two key elements:

1. That Ruby should not have been tried in Dallas;
2. That the trial court should not have allowed certain testi-

mony by police officers which implied that Ruby killed Oswald with premeditation.

Wade said he would not agree to Ruby's now entering a guilty plea unless the penalty would be a life sentence.

"The defense attorneys have indicated they wouldn't plead him to anything unless there was a five-year sentence, and we are not interested in that," Wade said.

CAN WALK FREE

Joe Tonahill of Jasper, Tex., one of Ruby's original lawyers, had this comment: "Ruby can walk free on a plea of guilty to murder without malice."

A murder-without-malice conviction carries an imprisonment term of two to five years. Ruby has been in jail nearly three years already.

The court said Ruby's statements to police soon after the shooting -- such as "I hope I killed the s.o.b." -- were not spontaneous and therefore were not legally admissible at the trial.

Trial testimony brought out that such statements were made at least 12 minutes after the shooting. This proves he was "not speaking spontaneously," the appellate court said.

(Indicate page, name of newspaper, city and state.)

Page 1

The Clarion-Ledger

Jackson, Miss.

Date: 10-6-66

Edition: Home

Authors

Editor: T. M. Nederman,

Title: Jack Ruby

Character:

or

Classification: 44-895

Submitting Office: Jackson

☐ Being Investigated

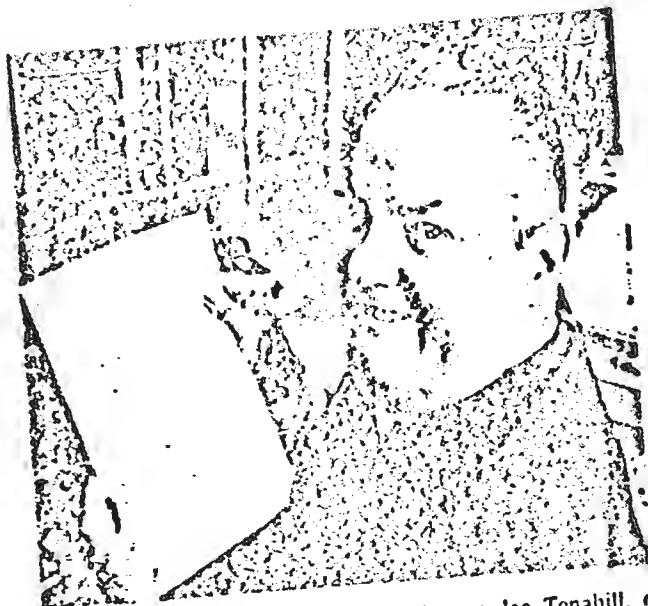
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10 OCT 23 1966

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GRATIFIED AT REVERSAL. — Attorney Joe Tonahill, of Jasper, Tex., one of the first lawyers hired by Jack Ruby's family, said in Austin he was gratified that the Texas Court of Criminal Appeal reversed the conviction of Ruby for the slaying of Lee Harvey Oswald. Tonahill holds a copy of the court opinion which he said he would take to Ruby. — AP Photo.

Appeals Court Reverses Ruby's Murder Sentence

Special to The Washington Post

AUSTIN, Oct. 5 — Jack

Ruby's conviction and death sentence for the murder of Lee Harvey Oswald were reversed today by a unanimous Texas Court of Criminal Appeals.

The Court based its ruling on two points: that Ruby should not have been tried in Dallas, and that under Texas law the trial judge should not have allowed testimony by police officers indicating that Ruby killed the slayer of President Kennedy with premeditation.

The Court said retrial "in some county other than Dallas" was necessary in light of the Supreme Court's decisions in the Sam Sheppard and Billie Sol Estes rulings. In those cases trial judges failed to protect juries from prejudicial publicity.

Elated defense attorneys immediately claimed that the State had no usable evidence to prove premeditated murder. One predicted that "Ruby can

walk free on a plea of guilty to murder without malice."

Murder without malice carries a prison term of two to five years. Ruby has served nearly three years.

But defense hopes for an early release may be premature. Dallas District Attorney Henry Wade plans to file for a rehearing of the Appeals Court decision within 15 days. The State cannot appeal to the U.S. Supreme Court.

One Judge said that Ruby could not have been tried fairly in Dallas "while the State, Nation and world judged Dallas for the tragic November events."

Justice W. T. McDonald

added in his concurring opinion:

"Dallas was being blamed directly and indirectly for President Kennedy's assassination and for allowing the shooting of Oswald by Ruby. The feeling and thought had been generated that Dallas County's deprivation of prosecuting Oswald could find atonement in the prosecution of Ruby . . . The citizenry of Dallas consciously and subconsciously felt Dallas was on trial."

Ruby never claimed outright innocence of the crime, which was witnessed on television by an estimated 140 million Americans. But he denied premeditation and claimed temporary insanity.

The prosecution introduced Ruby's statement to policemen—made shortly after the shooting—that he had seen Oswald two nights earlier in a police lineup and that when he saw the "sarcastic sneer" on Oswald's face he made up his mind to kill him.

Texas law demands that such confessions or damaging statements be written and signed. The State courts have carved out an exception for spontaneous statements on the theory that utterances made in the grip of emotion, excitement or pain are likely to be true.

But the Court noted today that Ruby refused to answer questions until he had been assured by police and a Secret Service agent that his answers would not be made available to "magazines or publications."

"One who is cautious enough to inquire whether his answers to the questions

DeLoach

Casper

Callahan

Conrad

Felt

Gale

Rosen

Sullivan

Tavel

Trotter

Tele. Room

Holmes

Gandy

The Washington Post and Times Herald _____
The Washington Daily News _____
The Washington Evening Star _____
New York Daily News _____
New York Herald Tribune _____
New York Post _____
The New York Times _____
New York World Journal _____
New York World _____
Journal Tribune _____
The Baltimore Sun _____
The Worker _____
The New Leader _____
The Wall Street Journal _____
The National Observer _____
People's World _____
Date _____

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to be propounded to him are to be released to the news media is not speaking spontaneously," the Court ruled.

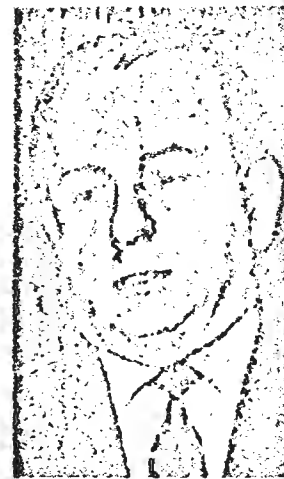
The decision on the confession issue was thus based entirely on Texas law and did not involve Supreme Court restrictions on police questioning in the absence of legal advice.

The Court's opinion, written by presiding Justice W. A. Morrison, said it was "abundantly clear" that the Shepard and Estes cases controlled Ruby's case and that Judge Joe B. Brown should have transferred the trial out of Dallas in the first place.

"Not only are we bound legally by the holdings of the Supreme Court," the Texas judges said, "but as practical public servants it becomes our duty to avoid the costs which are taxed against the State of Texas when one of our decisions fails to follow the rules announced by the Supreme Court."

Judge Brown has disqualified himself from the Ruby case, "and properly so," the Court concluded. The trial judge had been under pressure from defense attorneys after it was disclosed that he was writing a book on the case.

Justice McDonald and Justice K. K. Woodley, who also filed an opinion, disagreed over whether Ruby could ever get a fair trial when millions had witnessed the November, 1963, shooting. McDonald said a fair trial was "not humanly possible" while Woodley took pains to point out that the opinion of the entire court did not concern the question.



United Press International

JACK RUBY

... wins new trial

Court in Texas Orders Retrial Outside Dallas

Police Testimony Admitted in Error, Panel Decides

AUSTIN, Tex. (AP)—The Texas Court of Criminal Appeals reversed today the ~~un~~th-
pennly conviction of Jack Ruby
for the murder of Lee Harvey
Oswald. Oswald was identified
by the Warren Commission as
President Kennedy's assassin.

The state's highest court for
criminal cases sent the case
back for retrial in some other
county than Dallas, where it
originally was tried.

The three-man court held that
the trial court erred in admit-
ting as evidence testimony by
police officers of conversations
with Ruby shortly after the
killing.

Conversation Related

A policeman testified that
Ruby told him he had seen
Oswald in a police lineup and
that when he saw the expres-
sion on Oswald's face he de-
cided he would kill Oswald if
he got the chance.

"Obviously, this statement
constituted an oral confession
of premeditation made while in
police custody and therefore
was not admissible. The ad-
mission of this testimony was
clearly injurious and calls for
reversal of this conviction," the
opinion said.

Ruby was convicted in March,
1961, for the slaying, which was
nationally televised. An esti-
mated 140 million viewers saw
Ruby gun down Oswald Nov.
24, 1963, as Oswald was being
taken from the Dallas City Jail
to the Dallas County Jail.

The court's order by presid-
ing Judge W. A. Morrison said
that the reversal on grounds of
the inadmissible testimony made
it unnecessary to discuss in de-
tail "the error of the court in
failing to grant (Ruby's) change
in venue."

Rehearing Motion Planned

Judge W. T. McDonald, who
led prosecution in
the Ruby trial, said, "We don't
think there was an error. We
will file a motion for rehearing
in that court down there (the

Court of Criminal Appeals)
would try it and hope to
get them to change their opin-
ion. This is not final yet."

Asked what role he would
play in prosecution if the trial
moves to a new county, Wade
replied, "It will depend on
where it's moved. Wherever it's
moved, it depends on the attor-
ney there. If he needs us to
help him, we will, of course."

In Detroit, Sol Dann, one of
five attorneys who argued
Ruby's case before the Court of
Criminal Appeals last June,
said:

"I'm naturally very pleased
that the Texas Court of Appeals
followed the law of Texas and
protected the legal rights of
Jack Ruby, which were vio-
lated during the trial. . . .

"The maximum penalty under
Texas law for murder without
malice and premeditation is
only five years. The jury was
not justified in returning the
death verdict."

The appeals opinion said re-
cent decisions by the U.S. Su-
preme Court in the cases of
Billie Sol Estes and Dr. Sam-
uel Sheppard, as well as the
record in the Ruby trial, make
it "abundantly clear" that the
trial court "reversibly erred in
refusing (Ruby's) motion for a
change in venue" (to a trial
site other than Dallas).

Estes' state conviction for
fraud was reversed and a new
trial ordered. He is in prison
on a 15-year federal conviction
for the same sort of fraud—
selling fertilizer tank mort-
gages when the tanks did not
exist.

Press Coverage Cited

In the Sheppard case the U.S.
Supreme Court reversed the
Cleveland osteopath's murder
conviction on grounds that ex-
tensive newspaper coverage had
created such climate of opinion
that he was denied a fair trial.
The high court reversal of the
Estes case concerned television
coverage.

"For the errors pointed out,
the judgment is reversed, and
the cause is remanded with di-
rections that venue (the trial
site) be changed to some county
other than Dallas," the court's
order said.

Compared to the voluminous
record and appeal briefs in the
case, Morrison's opinion for the
court was dramatically short—
three pages.

Judge W. T. McDonald, who
lost a re-election campaign this
spring and goes out of office in
January, entered a concurring
opinion based on the refusal of

Trial Judge Joe B. Brown to
move the trial elsewhere.

City on Trial

"The writer feels it fair to
assume that the citizenry of
Dallas consciously and subcon-
sciously felt that Dallas was on
trial and the Dallas image was
uppermost in their minds to
such an extent that Ruby could
not be tried there fairly while
the state, nation and world
judged Dallas for the tragic No-
vember events," McDonald's
opinion said.

Phil Burleson, a Dallas lawyer
who has remained on Ruby's
defense team from the very
first, said of the decision:

"I'm tickled pink. I'm ex-
tremely excited and pleased at
the action of the court."

He went to the county court-
house to tell Ruby.

He said Ruby's sister, Mrs.
Eva Grant of Dallas, was equal-
ly delighted when he told her
the news. "She nearly fainted
with glee and happiness," Burle-
son said. "She was extremely
pleased. She was very, very
happy."

Cites Court's Order

Burleson said that when he
helped write the motion for a
new trial, his request for change
of venue "had no criticism of
Dallas as such."

He explained that the order
for new trial in another city "is
what the court ordered, and we
don't second-guess courts. The
circumstances in Dallas at the
time of the first trial were such
that Jack could not get a fair
trial."

The Dallas lawyer seemed
most pleased that the reversal
came on the trial court's accept-
ance of testimony from the po-
lice officers.

"That trial court erred in ad-
mitting it," Burleson said. "I
argued in that trial that the evi-
dence showed it to be a murder-
without-malice case."

Burleson added, "I still think
it's a murder without malice
case, and that this is, in effect,
what the court has said."

Not Sure of Defense Team

The Dallas attorney said he is
not sure yet who will serve on
the defense team for a new trial,
but he expressed doubt that the
appeals court would withdraw
its ruling on Wade's motion ask-
ing that the court reconsider.

Of that motion, he said the
court "will not keep it too long,
unless they change it around—
which they seldom do," Burle-
son said he could go to trial

Mohr _____
Wick _____
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Sullivan _____
Tavel _____
Trotter _____
Tele. Room _____
Holmes _____
Gandy _____

Immediately, if that were nec-
essary.

The defense relied strongly
on a recent U.S. Supreme Court
decision overturning the convic-
tion of Dr. Sheppard for the
murder of his wife. Sheppard
won a new trial because, the
court said, excessive newspaper
publicity inflamed Cleveland
against him.

The state pointed out in its
supplemental brief that defense
attorneys should have asked for
a continuance—as Sheppard re-
peatedly did, in vain—if they
thought Dallas had been in-
flamed against Ruby. The state
brief was written by Dallas
Assistant Dist. Atty. James M.
Williamson. Williamson also de-
fended Judge Brown's denial of
a change of venue. Such mat-
ters are in the judge's discre-
tion, the brief said.

The Washington Post and _____
Times Herald _____
The Washington Daily News _____
The Washington Evening Star _____
New York Daily News _____
New York Herald Tribune _____
New York Post _____
The New York Times _____
New York World Journal _____
New York World _____
Journal Tribune _____
The Baltimore Sun _____
The Worker _____
The New Leader _____
The Wall Street Journal _____
The National Observer _____
People's World _____

Date 44-1111-1
NOT RECORDED

46 OCT 11 1961

OCT 5 1966

(Mount Clipping in Space Below)

Jack Ruby's Conviction Is Reversed

New Trial Ordered For Slayer Of Lee Harvey Oswald

AUSTIN, Tex. (AP) — The Texas Court of Criminal Appeals reversed today the death-penalty conviction of Jack Ruby for the murder of Lee Harvey Oswald. Oswald was identified by the Warren Commission as President Kennedy's assassin.

The state's highest court for criminal cases sent the case back for retrial in some county other than Dallas where it originally had been tried.

The three-man court held that the trial court had erred in admitting as evidence testimony by police officers of conversations with Ruby shortly after the killing.

A policeman testified that Ruby told him he had seen Oswald in a police lineup and that when he saw the expression on Oswald's face he decided he would kill Oswald if he got the chance.

"Obviously this statement constituted an oral confession of premeditation made while in police custody and therefore was not admissible. The admission of this testimony was clearly injurious and calls for reversal of this conviction," the opinion said.

Ruby was convicted in March 1964 for the slaying which was nationally televised. An estimated 100 million viewers saw Ruby gun down Oswald Nov. 24, 1963, as Oswald was being taken from



PENALTY REVERSED

The Texas Court of Criminal Appeals reversed today in Austin the death penalty of Jack Ruby for the murder of Lee Harvey Oswald. Ruby is shown above at his murder trial in Dallas. —Daily News-AP Wirephoto.

The Dallas City Jail to the Dallas County Jail.

The court's order by Presiding Judge W. A. Morrison said the reversal on grounds of the inadmissible testimony made it unnecessary to discuss in detail "the error of the court in failing to grant (Ruby's) change in venue."

In Dallas, Dist. Atty. Henry Wade, who headed the prosecution in the Ruby trial, said, "We don't think there was an error. We will file a motion for rehearing in that court down there (the Court of Criminal Appeals) within two weeks and hope to get them to change their opinion. This is not final yet."

Asked what role he would play in prosecution of the trial moves to a new county, Wade replied, "It will depend on where it's moved. Where ever it's moved, it depends on the attorney there. If he needs us to help him, we will of course."

The Court of Appeals opinion said recent decisions by the U.S. Supreme Court in the cases of Billie Sol Estes and Dr. Samuel

Estes' state conviction for fraud was reversed and a new trial ordered. He is in prison on a 15-year federal conviction on a similar fraud charge selling fertilizer tank mortgages when the tanks did not exist.

In the Sheppard case the U.S. Supreme Court reversed the Cleveland physician's murder conviction on grounds that extensive newspaper coverage had created such climate of opinion that he was denied a fair trial. The high court reversal of the Estes case concerned television coverage.

"For the errors pointed out,

The indictment is reversed and the cause is remanded with directions that venue (the trial site) be changed to some county other than Dallas," the court's order said.

Compared to the voluminous record and appeal briefs in the case, Morrison's opinion for the court was unusually short — three pages.

Judge W. T. McDonald, who lost a re-election campaign in spring and goes out of office in January, entered a concurring opinion based on the refusal of the trial judge, Joe B. Brown, to move the trial elsewhere.

"The writer feels it fair to assume that the citizenry of Dallas consciously and subconsciously felt that Dallas was on trial and the Dallas image was uppermost in their minds to such an extent that Ruby could not be tried there fairly while the state, nation and world judged Dallas for the tragic November events," McDonald's opinion said.

Phil Burleson, a Dallas lawyer who has remained on Ruby's defense team from the very first, said of the decision,

"I'm tickled pink. I'm extremely excited and pleased at the action of the court."

He shortly went to the county jail to tell Ruby.

Mr. Mohr _____
Mr. Wick _____
Mr. Caper _____
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Mr. Gale _____
Mr. Rosen _____
Mr. Sullivan _____
Mr. Tavel _____
Mr. Trotter _____
Tele. Room _____
Miss Holmes _____
Miss Gandy _____

(Indicate page, name of newspaper, city and state.)

PAGE 1

JACKSON DAILY NEWS

JACKSON, MISS.

NOT RECORDED

45 OCT 18 1966

Date: 10-5-66

Edition: HOME

Author:

Editor: JAMES M. WARD

Title:

JACK RUBY

Character:

or

Classification: 44-895

Submitting Office: JACKSON

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44-2746 56 OCT 19 1966

Publicity Elsewhere

There is no showing in this record that, to the extent such publicity might be prejudicial to Ruby in Dallas County, such identical or similar publicity in all other counties of Texas was not equally as prejudicial," said Williamson's brief.

The defense attorneys "had good grounds for believing that pre-trial publicity considered in its 'totality' was favorable to Ruby," the state brief said, adding that Ruby's attorneys wanted a speedy trial to take advantage of the "emotional feeling accruing in connection with President Kennedy's assassination."

The defense also contended that 11 of the 12 jurors were witnesses to the crime because they saw it on television. Witnesses to a crime cannot serve as jurors in a case involving that crime.

"The question is then posed," Burleson said in a supplemental brief, "that if the television film of the shooting was not material, as the state claims, then why did the state offer into evidence the very same television film during the trial for the jury's consideration?"

TV Viewing Pointed Out

McDonald said that the fact that thousands of persons in Dallas county saw on television Ruby shoot Oswald "alone precluded Ruby from receiving a fair and impartial trial by a Dallas County jury."

Judge K. K. Woodley also filed a separate concurring opinion disagreeing with McDonald's view that jurors who witnessed the shooting on television should have been disqualified. He stated that "it should also be clearly understood that the (court) majority does not hold" to McDonald's view.

The court order, by Morrison, noted that Joe B. Brown Sr., the Dallas district judge, has removed himself "from any further connection with the case, and, we have concluded, properly so."

Ruby's appeal to the Court of Criminal Appeals was delayed by several hearings, at one of which Ruby was adjudged sane both at the time of the hearing and at the time Oswald was shot.

A writ of habeas corpus also was sought on the grounds that the trial judge allegedly decided while he still had jurisdiction of the case to write a book about the trial.

Bill of Jasper, Tex., one of Ruby's original team of lawyers, said the opinion reduced Ruby's case to murder without malice and he could go free on a guilty plea, apparently meaning Ruby had served nearly three years in jail.

"This takes away the state's evidence on premeditation and malice," Tonahill said. "Without that they can't get a murder with malice conviction."

The punishment for murder without malice is two to five years' imprisonment.



This is the act for which Jack Ruby went on trial for his life in Dallas. He is shown firing point blank at Lee Harvey Oswald in 1963. Millions saw the slaying on television. Today, Ruby's death verdict was overturned by the Texas Court of Criminal Appeals.



Ruby displays varied emotions during his Dallas trial.

Jack Ruby's Conviction s Reversed

New Trial Ordered For Slayer Of Lee Harvey Oswald

AUSTIN, Tex. (AP) — The Texas Court of Criminal Appeals reversed today the death-ally conviction of Jack Ruby or the murder of Lee Harvey Oswald. Oswald was identified by the Warren Commission as President Kennedy's assassin.

The state's highest court for criminal cases sent the case back for retrial in some county other than Dallas where it originally had been tried.

The three-man court held that the trial court had erred in admitting as evidence testimony by police officers of conversations with Ruby shortly after the killing.

A policeman testified that Ruby told him he had seen Oswald in a police lineup and that when he saw the expression on Oswald's face he decided he would kill Oswald if he got the chance.

"Obviously this statement constituted an oral confession of premeditation made while in police custody and therefore was not admissible. The admission of this testimony was clearly injurious and calls for reversal of this conviction," the opinion said.

Ruby was convicted in March 1964 for the slaying which was nationally televised. An estimated 110 million viewers saw Ruby gun down Oswald Nov. 24, 1963, as he was being taken from



PENALTY REVERSED

The Texas Court of Criminal Appeals reversed today in Austin the death penalty of Jack Ruby for the murder of Lee Harvey Oswald. Ruby is shown above at his murder trial in Dallas.—Daily News-AP Wirephoto.

The Dallas City Jail to the Dallas County Jail.

The court's order by Presiding Judge W. A. Morrison said the reversal on grounds of the inadmissible testimony made it unnecessary to discuss in detail "the error of the court in failing to grant (Ruby's) change in venue."

In Dallas, Dist. Atty. Henry Wade, who headed the prosecution in the Ruby trial, said, "We don't think there was an error. We will file a motion for rehearing in that court down there (the Court of Criminal Appeals) within two weeks and hope to get them to change their opinion. This is not final yet."

Asked what role he would play in prosecution of the trial moves to a new county, Wade replied, "It will depend on where it's moved. Where ever it's moved, it depends on the attorney there. If he needs us to help him, we will of course."

The Court of Appeals opinion said recent decisions by the U.S. Supreme Court in the cases of Billie Sol Estes and Dr. Samuel

in the Ruby trial make a "abundantly clear" that the trial court "reversibly erred in refusing Ruby's motion for a change in venue" (to a trial site other than Dallas.)

Estes' state conviction for fraud was reversed and a new trial ordered. He is in prison on a 15-year federal conviction on a similar fraud charge selling fertilizer tank mortgages when the tanks did not exist.

In the Sheppard case the U.S. Supreme Court reversed the Cleveland physician's murder conviction on grounds that extensive newspaper coverage had created such climate of opinion that he was denied a fair trial. The high court reversal of the Estes case concerned television coverage.

"The errors pointed out,

"The judgment is reversed and the cause is remanded with directions that venue (the trial site) be changed to some county other than Dallas," the court's order said.

Compared to the voluminous record and appeal briefs in the case, Morrison's opinion for the court was unusually short — three pages.

Judge W. T. McDonald, who lost a re-election campaign in spring and goes out of office in January, entered a concurring opinion based on the refusal of the trial judge, Joe B. Brown, to move the trial elsewhere.

"The writer feels it fair to assume that the citizenry of Dallas consciously and subconsciously felt that Dallas was on trial and the Dallas image was uppermost in their minds to such an extent that Ruby could not be tried there fairly while the state, nation and world judged Dallas for the tragic November events," McDonald's opinion said.

Phil Burleson, a Dallas lawyer who has remained on Ruby's defense team from the very first, said of the decision,

"I'm tickled pink. I'm extremely excited and pleased at the action of the court."

He shortly went to the county jail to tell Ruby.

Mr. DeLoach _____
Mr. Mohr _____
Mr. Wick _____
Mr. Casper _____
Mr. Callahan _____
Mr. Conrad _____
Mr. Felt _____
Mr. Gale _____
Mr. Rosen _____
Mr. Sullivan _____
Mr. Tavel _____
Mr. Trotter _____
Tele. Room _____
Miss Holmes _____
Miss Gandy _____

(Indicate page, name of newspaper, city and state.)

PAGE 1

JACKSON DAILY NEWS

JACKSON, MISS.

NOT RECORDED

44 OCT 13 1966

Date: 10-5-66

Edition: HOME

Author:

Editor: JAMES M. WARD

Title:

JACK RUBY

Character:

or

Classification: 44-895

Submitting Office: JACKSON

☐ Being Investigated

44-2716 56 OCT 19 1966

He said Ruby's sister, Fus
Grant of Dallas, was equally
delighted and he told her the
news. "She nearly fainted with
glee and happiness," Burleson
said. "She was extremely
pleased. She was very, very
happ."

In Detroit, Sol Dann, one of
five attorneys who argued
Ruby's case before the Court of
Criminal Appeals last June
said:

"I'm naturally very pleased
that the Texas Court of Appeals
followed the law of Texas and
protected the legal rights of
Jack Ruby, which were violated
during the trial."

DeLoach ☒
 Mohr ☒
 Wick ☒
 Casper ☐
 Callahan ☐
 Conrad ☐
 Felt ☐
 Gale ☒
 Rosen ☒
 Sullivan ☒
 Tavel ☒
 Trotter ☐
 Tele. Room ☐
 Holmes ☐
 Gandy ☐

Handwritten signature/initials

UPI-71

(RUBY)

AUSTIN--THE TEXAS COURT OF CRIMINAL REPEALS TODAY REVERSED THE CONVICTION OF JACK RUBY ON CHARGES OF MURDERING PRESIDENTIAL ASSASSIN LEE HARVEY OSWALD.

THE COURT ORDERED A NEW TRIAL.

THE UNANIMOUS OPINION BY THE THREE-JUDGE COURT SAID THAT DALLAS DIST. JUDGE JOE B. BROWN SHOULD HAVE GRANTED RUBY'S MOTION FOR A CHANGE OF VENUE.

IN GRANTING RUBY A NEW TRIAL IN THE NOV. 24, 1963 KILLING, THE COURT ORDERED THAT THE SECOND TRIAL "BE CHANGED TO SOME COUNTY OTHER THAN DALLAS."

"DURING THE TRIAL OVER THE STIPENDIOUS OBJECTION OF APPELLANT THAT ANYTHING APPELLANT MAY HAVE SAID DURING POLICE CUSTODY CONSTITUTED AN ORAL CONFESSION IN VIOLATION OF THE STATUTES OF THIS STATE AND WAS NOT ADMISSIBLE...SGT. (PATRICK) OF THE DALLAS POLICE TESTIFIED AS TO A CONVERSATION WHICH HE HAD WITH APPELLANT...UNDRESSED AND INTERROGATED BY OTHER OFFICERS BEFORE PATRICK DEAN AND SECRET SERVICE AGENT (CORREST) SCREELS ARRIVED IN HIS CELL," THE COURT'S OPINION SAID.

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WASHINGTON CAPITAL NEWS SERVICE

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UPI-77

ADD RUBY, AUSTIN (UPI-71)

THE OPINION, WRITTEN BY JUDGE W. A. MORRISON, NOTED THAT RUBY AGREED TO ANSWER QUESTIONS, PROVIDED HIS ANSWERS WOULD BE FOR POLICE PURPOSES ONLY.

MORRISON NOTED THAT THE TIME ELEMENT BETWEEN RUBY'S ARREST AND THE CONVERSATION IN QUESTION VARIED BETWEEN 10 AND 40 MINUTES, DEPENDING UPON WHETHER DEAN'S TESTIMONY AT THE TRIAL OR HIS WRITTEN REPORT, MADE TWO DAYS AFTER THE KILLING, IS ACCEPTED.

"ONE WHO IS CAUTIOUS ENOUGH TO INQUIRE WHETHER HIS ANSWERS TO THE QUESTIONS TO BE PROPOUNDED TO HIM ARE TO BE RELEASED TO NEWS MEDIA IS NOT SPEAKING SPONTANEOUSLY," THE OPINION SAID.

THE COURT NOTED THAT TESTIMONY GIVEN BY DEAN REGARDING A STATEMENT IN WHICH HE QUOTED RUBY AS SAYING THAT HE WOULD KILL OSWALD AFTER SEEING THE "SARCASTIC SNEER" ON OSWALD'S FACE WAS GROUND FOR A REVERSAL.

"OBVIOUSLY THIS STATEMENT CONSTITUTED AN ORAL CONFESSION OF PREMEDITATION MADE WHILE IN POLICE CUSTODY AND THEREFORE WAS NOT ADMISSIBLE," MORRISON WROTE.

"THE ADMISSION OF THIS TESTIMONY WAS CLEARLY INJURIOUS AND CALLS FOR A REVERSAL OF THIS CONVICTION."

REGARDING THE CHANGE OF VENUE MOTION, MORRISON SAID, "IT IS ABUNDANTLY CLEAR FROM A CAREFUL STUDY OF BOTH OPINIONS (THE ESTES AND SHEPPARD OPINIONS) OF THE U.S. SUPREME COURT AND THE RECORD OF THIS CASE THAT THE TRIAL COURT REVERSIBLY ERRED IN REFUSING APPELLANT'S MOTION FOR CHANGE OF VENUE."

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WASHINGTON CAPITAL NEWS SERVICE

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UPI-21

ADD RUBY, AUSTIN

JOE TONAHILL OF JASPER, TEX., ONE OF RUBY'S ATTORNEYS, SAID IT WAS "THE END OF A LONG HARD-FOUGHT BATTLE."

"I'M GOING TO DALLAS AS SOON AS I CAN GET A PLANE AND DELIVER A COPY OF THIS TO JACK RUBY. I'M GOING TO TELL JACK TO GET HIM A LAW SCHOOL GRADUATE BECAUSE THAT'S ALL HE'S GOING TO NEED FROM NOW ON," TONAHILL SAID.

"THIS HAS BEEN A BITTER ROAD. I'M GLAD IT'S ENDED AND MY OBLIGATION TO JACK RUBY IS ENDED.

TONAHILL SAID HE THOUGHT RUBY NOW WILL GET TWO TO FIVE YEARS.

"WHAT HE OUGHT TO DO, IF HE GETS 2-5 YEARS, IS SERVE IT AND THEN GO ON TO A VA HOSPITAL AND STAY UNTIL HE IS PROPERLY TREATED, AND THEN GO TAKE HIS PLACE IN SOCIETY. HE COULD GET PSYCHIATRIC CARE WHICH HE HAS BEEN NEEDING ALL THE TIME," THE LAWYER SAID.

THE COURT SAID:

"NOT ONLY ARE WE BOUND LEGALLY BY THE HOLDINGS OF THE SUPREME COURT, BUT AS PRACTICAL PUBLIC SERVANTS IT BECOMES OUR DUTY TO AVOID THE COSTS WHICH ARE TAXED AGAINST THE STATE OF TEXAS WHEN ONE OF OUR DECISIONS FAILS TO FOLLOW THE RULES ANNOUNCED BY THE SUPREME COURT."

THE OPINION NOTED THAT JUDGE BROWN HAD REMOVED HIMSELF FROM THE CASE AND "WE HAVE CONCLUDED PROPERLY SO," THE OPINION SAID.

CONCURRING OPINIONS WERE WRITTEN BY JUDGES W. T. McDONALD AND K. K. WOOLLEY.

McDONALD WROTE THAT IN THE GENERAL RULE REGARDING VENUE CHANGES A JUDGE MUST DETERMINE WHEN TO GIVE WAY WHEN "AN UNFAIR JURY IS FORCED ON ONE CHARGED WITH CRIME."

"IT IS TO BE NOTED THAT ALL 12 OF RUBY'S JURY ENTERTAINED SOME CONCEPTS OF HIS GUILT ONE WAY OR THE OTHER," McDONALD SAID.

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WASHINGTON CAPITAL NEWS SERVICE

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UPI-88

ADD RUBY, AUSTIN

THE DALLAS COUNTY SHERIFF'S OFFICE AT DALLAS LEARNED THROUGH UPI THAT ITS BEST KNOWN PRISONER HAD WON A REVERSAL.

PHIL BURLISON, ONE OF SEVERAL LAWYERS THE RUBY FAMILY EMPLOYED IN THE TRIAL TWO YEARS AGO, SAID HE WOULD BREAK THE NEWS TO RUBY.

"IT WOULD APPEAR THE STATE IS LEFT WITH A MURDER WITHOUT MALICE CASE, A POINT I ARGUED AT THE TRIAL. THE PUNISHMENT IN THIS TYPE CASE IS LESS," BURLISON SAID.

ASKED WHAT THE NEXT STEP WOULD BE, BURLISON SAID "THE STATE HAS 15 DAYS TO FILE FOR A REHEARING. AFTER THAT WE WILL DECIDE ON OUR NEXT MOVE."

"THE PEOPLE OF DALLAS COUNTY HAVE BEEN EXPOSED REPEATEDLY AND IN GREAT DEPTH TO THE ACTUAL SHOOTING OF OSWALD ON TELEVISION PERUNS," MCDONALD SAID.

RUBY'S MAIN TRIAL LAWYER WAS MELVIN BELLI OF SAN FRANCISCO, WHO SHOUTED OUT AFTER THE VERDICT THAT HIS CLIENT HAD BEEN CONVICTED BY A "KANGAROO COURT."

BELLI WAS FIRED SHORTLY AFTER THE VERDICT. AND DESPITE THE ATTEMPTS OF RUBY AND HIS FAMILY TO MAKE HIM GET OUT OF THE CASE, TONAHILL INSISTED ON STAYING AND ARGUED THE APPEAL LAST JUNE. HE STEPPED OUT AFTER HIS APPEARANCE BEFORE THE COURT OF CRIMINAL APPEALS.

"THROUGH MUCH STRESS AND STRAIN, MISUNDERSTANDING AMONG CLIENT AND APPELLANT'S RELATIVES, HE (TONAHILL) HAS EXEMPLIFIED THE HIGH STANDARDS OF THE LEGAL PROFESSION, REMAINED TRUE TO HIS DUTY AND DONE AN OUTSTANDING JOB IN BRIEFING AND PRESENTING THIS CASE BEFORE THIS COURT," MCDONALD WROTE.

WOODLEY, IN HIS CONCURRING OPINION SAID THAT "IN VIEW OF ANOTHER TRIAL AND FUTURE TRIALS, IT SHOULD ALSO BE CLEARLY UNDERSTOOD THAT THE MAJORITY DOES NOT HOLD THAT A JUROR WHO SAW THE SHOOTING OF THE DECEASED ON TELEVISION IS, FOR THAT REASON ALONE, DISQUALIFIED OR SUBJECT TO CHALLENGE."

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WASHINGTON CAPITAL NEWS SERVICE

(Mount Clipping in Space Below)

Ruby Case Taken Under Advisement

by ERNEST STROMBERGER
Austin Bureau

AUSTIN — The Texas Court Criminal Appeals adjourned Monday for a constitutionally required recess until October, with the Jack Ruby case to occupy them during the summer. The court took the Ruby case under advisement Friday after hearing an unprecedented four hours of arguments.

Ruby is under a death sentence for killing Lee Harvey Oswald, accused of assassinating President John F. Kennedy on Nov. 22, 1963, in Dallas as the "resident passed" through downtown Dallas in a motorcade.

ATTORNEYS FOR RUBY, a former Dallas nightclub owner, opened their arguments with a thorough attack on the publicity given the case, questioned the use of jurors who had watched televised accounts of the Oswald killing, and closed with strong condemnation of the key testimony of a policeman who said Ruby told him he planned the Nov. 21, 1963, killing for two days.

The Dallas district attorney's spokesman reviewed testimony they said showed Ruby acted under premeditation, dismissed the juror-witness controversy by saying Ruby—not the prosecution—picked a nationwide television audience for the crime, and said the "planned killing" testimony of the policeman was substantiated by Ruby's statements to other officers.

The three judges, who frequently interrupted the arguments in silence, said they would have been

"If we feel revulsion against the murder of a president, we also must be concerned over the murder of a Jack Ruby," said the final spokesman for Ruby, New York attorney William Kunstler.

"WE CAN'T judicially murder Jack Ruby, no matter how we feel about him, in the same manner he gunned down Oswald," Kunstler said. "You can't, in the name of God, destroy a man on this record."

Ruby, 35, remained in his Dallas County Jail cell where he has been since Nov. 24, 1963, except for court appearances, first for the change of venue hearing and then the trial, which ended in a death sentence in March, 1964, and then for a series of complicated legal maneuvers which delayed a hearing on the main appeal until Friday.

In all, the defense raised 16 points on which the appeals court might grant a new trial.

Most of the points, however, received brief treatment as the attorneys carefully likened conditions surrounding the Ruby case to those in the notorious case of Dr. Sam Sheppard, whose Cleveland, Ohio, murder conviction was reversed several weeks ago by the U.S. Supreme Court because of prejudicial news coverage which was accessible to jurors.

DISCUSSING THE juror-witness controversy, the attorneys said the fact that one of the 162 veniremen questioned had not seen a televised account of the Oswald killing indicated that it would have been possible to obtain 11 more persons who hadn't seen the showing.

Kunstler spent much of his argument on the vital point of premeditation, contending Ruby hadn't planned for two days to kill Oswald, as Police Sgt. P. T. Dean said in recalling his conversations with Ruby.

Oswald was to have been transferred from the city jail at 10 a.m. Nov. 27, Kunstler said, and Ruby would have been

at the City Hall then, instead of more than an hour later as it happened.

"To explain this, the state invented a fabrication of a statement to Sgt. Dean that he intended to kill Oswald after he saw him Friday night," Kunstler said.

"THE RECORD is replete with Dean lying," he said, in court noting what he said are inconsistencies in the officer's testimony.

Asst. Dist. Atty. Bill Alexander said Ruby's statement to Dean was "substantially the same" as other statements Ruby made in which he said he had wanted to fire three times at Oswald.

"Malice is malice," Alexander said. "The substance of these words are implied in Ruby's other conversations."

Alexander raised his voice when he began attacking defense contentions that persons who saw televised versions of the shooting should have been disqualified as jurors.

"We of the district attorney's staff didn't pick the audience before whom the killing took place," Alexander said.

"Jack Ruby killed Lee Harvey Oswald in full view of approximately 110 million people. The fact that hundreds of people with cameras were in the vicinity does not lessen his guilt one iota."

Alexander said the Sheppard case can't be compared to the Ruby case because jurors in the Sheppard case were allowed to make telephone calls and had other freedoms not allowed the jurors isolated all during the Ruby case.

(Indicate page, name of newspaper, city and state.)

"The Dallas
Times Herald"
Dallas, Texas

Date: 6/25/66
Edition:
Authors:
Editor: Felix R. McKnight
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Submitting Office: Dallas

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Ruby Lawyers List 16 Points During Appeal

STAFF SPECIAL

AUSTIN—The Texas Court of Criminal Appeals ruling in the Jack Ruby case will center on 16 reasons as to why defense lawyers think the convicted slayer should be granted a new trial.

The points were listed in a bulky brief filed by attorneys for the former Dallas nightclub owner.

They included:

--The court erred by not allowing a change of venue.

The contention points to wide publicity on the assassination and murder of Lee Harvey Oswald and states: "These pressures hardly abated from this time (of the assassination) until the trial of Jack Ruby had wound tortuously to its conclusion."

--Publicity and lack of control denies due process.

This concerned what defense attorneys claimed was trial court error in failing to protect Ruby from "inherently prejudicial publicity which saturated the Dallas community" and the court's failure to control disruptive influences in and about the courtroom.

--Jurors were used as witnesses.

In this point, the defense contended the trial court erred in overruling challenges for cause of jurors who watched the crime on television. This, the attorneys claimed, resulted in Ruby

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"being tried by jurors who were witnesses in the case."

—Substitute judges.

The defense contended the trial court erred in permitting a substitute trial judge to sit during jury selection and while a motion for change of venue was pending. This occurred when Judge J. Frank Wilson filled in for Judge Brown because of illness on March 3, 1964. The jury selection was completed under Judge Wilson. Judge Brown returned the next day and overruled the motion for change of venue.

—Alleged res gestae statements.

This involves testimony of Police Sgt. P. T. Dean as to answers Ruby gave to questions asked after the shooting. According to the defense, the only showing of malice in the case "comes from the lips of Dallas police officers." The defense also claimed that too much time elapsed between time of the shooting and the statements.

—No evidence was permitted on a motion for a new trial.

The defense claims the court overruled a motion for a new trial without hearing any evidence and actually refused to hear that evidence.

—Denial and discovery and suppression of evidence.

Ruby's attorneys stated the court erred in overruling a defense request for "papers, reports and documents bearing upon the transaction for use by the defendant in his trial." They said many matters of a "favorable nature" to Ruby's defense subsequently were revealed by the Warren Commission report and should have been made available to them prior to the trial.

—Midnight jury argument.

This pointed out jury argument, after the reading of the charge to the court, commenced about 8:20 p.m. March 13, 1964, and was concluded at 1:07 a.m. March 14. It contends the jury and trial judge were "tired and weary" and the short time consumed by the jury in returning its verdict indicates "little or

no attention was or could have been paid to the forceful arguments of appellant's counsel returning the verdict with the extreme penalty."

—Wrongful exclusion of evidence.

The defense contended the court erred in refusing to admit into evidence that Oswald had been charged with killing Kennedy and denied admission of a taped interview with Dist. Atty. Henry Wade to the effect that Oswald was the assassin.

—False testimony on behalf of the state.

In this point, Ruby's attorneys pointed to testimony of Sgt. Dean in which he first said he and Secret Service agent Forrest Sorrells visited Ruby in his cell 10 minutes after the shooting yet under cross-examination admitted writing a report to the chief of police that it was "approximately noon" when he visited Ruby.

—The trial court erred by not granting a request to file a second motion for a new trial. This, the defense claimed, was "an abuse of discretion on the part of Judge Brown."

—Denial of a pre-trial insanity hearing.

—The trial court erred in charging insanity under the M'Naughten rule.

This concerns the defendant's ability to determine the difference between right and wrong, and the defense claimed it was used by Judge Brown in his charge to the jury although it has been abandoned by the U.S. Court of Appeals of the 2nd Circuit in favor of an American Law Institute rule that a person is not responsible for criminal conduct if his actions are the result of mental disease or defect.

—The trial judge disqualified himself by having a financial interest in the case.

The final three points, all included in this category, sought disqualification of Judge Brown and stated his financial interest—a book he is writing—tenders "judgment of conviction in the appellant's case void and subsequent proceedings invalid."

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RUBY DISRUPTIONS

65 JUL 12 1966

(Indicate page, name of newspaper, city and state.)

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Dallas, Texas

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44-24016-A
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184 JUL 12 1966

Sheppard Case Cited in Appeal

By ERNEST STROMBERGER and BEN STEVENS, Staff Writers

AUSTIN—Attorneys for Jack Ruby told the Texas Court of Criminal Appeals Friday that Ruby's trial was interwoven with more courtroom disruptions and prejudicial news coverage than the notorious Cleveland, Ohio, case of Dr. Sam Sheppard.

The attorneys cited appraisals of the Dallas trial by the Warren Commission and Dist. Judge Joe B. Brown's frequent characterization of the trial as "a circus" to compare the case to the Sheppard murder case reversed several weeks ago by the U.S. Supreme Court.

The point was one of 16 raised by Ruby's lawyers in a historic four-hour hearing before the three-judge court, the first return to the main case since Ruby's appeal was broken into a series of complicated legal moves shortly after the March 1964 trial.

Ruby, 35, was convicted of murdering accused presidential assassin Lee Harvey Oswald on Nov. 24, 1963, and was sentenced to die in the electric chair.

RUBY WAS NOT present at Friday's hearing, for which the court had prepared by enlarging seating facilities from 50 to 300 and by securing the help of three Texas Rangers and a uniformed highway patrolman to control the anticipated crowd. Ruby's sister, Mrs. Eva Grant, was a front-row spectator at the hearing.

The five-man defense team spent half of its allotted two hours of argument on the problems at the trial created by extensive news coverage, along with the live television coverage of the actual shooting.

The court advised the first attorney for Ruby, Sam Houston Clinton Jr. of Austin, as he began that the court unanimously denied Thursday the attorneys' request that the controversy over Brown's activities in writing a book about the case be included in Friday's appeal. The attorneys, however, were allowed to discuss the controversy in their arguments.

"THE PURPOSE of our being here is to try to demonstrate one substantial, essential and fundamental matter," Clinton said.

"In the court's decision in the habeas corpus case involving Judge Brown's book, this court said the appellant is due a tolerably fair trial," Clinton stated.

The second attorney was Elmer Gertz of Chicago, who told the court it is fortunate that the Ruby appeal came before it at a time when it has the guidelines set by the Supreme Court in the Sheppard murder case.

"IT IS SIGNIFICANT that in reaching its conclusion, the U.S. Supreme Court cited in the Sheppard case many circumstances similar to those in this case—the damaging publicity by the police . . . the district attorney's descriptions of prosecution evidence which was inadmissible," Gertz said.

"Judge Brown had the strange notion he could not control what went on around the courthouse—that somehow he was powerless to act," Gertz continued.

"The court doesn't consider merely the actual trial. It has to consider the total framework—everything which makes the atmosphere," Gertz.

"WE HAD A pervasive atmosphere, which made a fair trial difficult," he said.

Gertz then quoted comments Judge Brown made during and after the trial, in which he said he felt continued pressure from news media entering into the trial and quoted from the manuscript of Brown's book in which the judge concluded that "Ruby did not get full justice."

"During the trial the judge repeatedly warned the audience to stop laughing and called for order and remarked that the courtroom was 'like a circus,'" Gertz said.

"WHAT ELSE WENT on in the courtroom? Matters far worse than were the basis for the reversal of the Sheppard case," Gertz said, citing the jail break which occurred in the building during the trial.

Gertz acknowledged that a tendency by police, the prosecutors and the judge to limit news interviews during the trial extended even to the defense counsel. He cited a "Brief of the court" submitted last year by a former Ruby attorney in which he said he felt that other parties in the case were participating in radio and television interviews as no excuse for defense attorneys to do it.

"It was the obligation of the court, as stated in the Sheppard case, to see that neither the defense nor the prosecution, nor anyone else participated in this kind of monkeyshine—this denial of a fair trial," Gertz said.

THE CONTROVERSY over finding jurors who had not seen television coverage of the Oswald killing was discussed by Phil Burleson of Dallas.

Burleson said Texas criminal laws provide that no person who witnesses a crime can be a juror and that persons who saw the live television coverage of the shooting were witnesses who

could have been called to the witness stand and should not have been called as jurors.

Burleson said the fact that one juror of the 12 did not see live or replay television coverage of the shooting indicates that eventually, "the law could have been complied with."

THE COURT SAID that everyone else in the state saw the television coverage and that the same problem would arise elsewhere. This was totally unsupported by any facts," Burleson said.

Burleson also quoted a Louisiana case reversed by the Supreme Court because four of the jurors saw a television program during which the defendant made a confession.

"Therefore, we feel that, tak-

ing these cases and the Shepard case into consideration, the Ruby case should have been removed from the locale of the crime and the court should have accepted as jurors only those

who did not see films of the offense, and then, if no jury could be picked, a change of venue could have been in order."

THE COURT was expected to take the arguments under advisement and recess Saturday until October.

Jack Ruby Found Sane; Case Will Be Appealed

From News Dispatches

DALLAS, June 13 — A jury found convicted slayer Jack Ruby sane today after Ruby dramatically told the jury — over his attorneys' objections — that he was not insane.

His attorneys had taken no part in the sanity trial — in selecting jurors, in calling witnesses, or in presenting final arguments.

The defense had requested the sanity trial but objected at the last minute on the grounds it would violate Ruby's constitutional rights in several respects and prejudice an appeal of his conviction for slaying presidential assassin Lee Harvey Oswald. The appeal is pending before the Texas Court of Criminal Appeals.

Among those in the courtroom today was Oswald's mother, Mrs. Marguerite Oswald, who snapped pictures of her son's killer until the judge ordered her to stop.

After the State called the last of its five witnesses in the surprisingly fast-moving trial, Ruby said he wanted to take the stand, and over his counsel's protest, did so.

"Never at any time since I was convicted have I ever done anything to make anybody believe I was of unsound mind," Ruby said looking directly at the jury from the witness stand.

"I don't know who conspired to do that (to spread the story that he was insane) and I never tried to camouflage my mental capacity. I never gave them (his lawyers) any reason to believe anything but that I was sane."

After hearing Ruby's plea and a short argument from Assistant District Attorney Bill Alexander, the jury took less than 15 minutes to reach its decision.

"Jack Ruby is in a better position than his lawyers because he takes a realistic view of things," said Alexander.

He accused Ruby's lawyers of "piddling around" and said "I almost feel sorry for Jack."

Sal Dann, of Detroit, one of Ruby's lawyers, said

proceedings would be appealed either to the U.S. District Court or the U.S. Supreme Court because there is no appeal available in Texas from a sanity trial.

The jury of seven men and five women was selected in only 42 minutes Monday morning because the defense refused to take part in questioning of jurors.

All of the state's witnesses — four county jail guards and a doctor — testified they believed Ruby was sane.

Jailer R. H. Croy said that Ruby was "far above the other prisoners in mental ability, and that he was also a good gin rummy player."

Jail physician Dr. John W. Callahan said Ruby's spirits are high and that he sleeps well.

When asked if it was his opinion that Ruby is of sound mind, Callahan said: "That is my opinion."

Deputy Sheriff and prison guard Archie F. Watson said he guarded Ruby during the evening shift in December of last year, and that Ruby knew what month it was, when the guard was changed, the jail officials and other prisoners. Watson said Ruby read newspapers from front to back.

Watson said his prisoner played dominoes, checkers and card games, and he said he himself had played double solitaire with Ruby.

"Did Jack Ruby ever say anything to you to make you believe he had hallucinations?" Alexander asked.

"No, sir," Watson replied. Earlier in the day Judge Louis Holland overruled a defense motion for a delay in the sanity trial, and also cracked down on photographers taking pictures of the jury or Ruby while court was not in session. Sheriff Bill Decker also ruled out taking Ruby's picture in the jail's corridors.

Holland called Mrs. Oswald into his office and told her not to make any use of the pictures she shot through a window in the courtroom door, early today.

Holland said his decision in regard to photographers was made because of the recent Supreme Court ruling in the case of Dr. Sam Sheppard, convicted Cleveland, Ohio, osteopath who won a new trial because of the way his case was handled by news media.

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The National Observer _____
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Date _____

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United Press International
TRIAL BEGINS—A sheriff leads Jack Ruby, left, to County courthouse in Dallas.

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"The Dallas Times Herald Dallas, Texa:

Date: 6-14-66
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Author:
Editor: Felix R. McK
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More Ruby Appeals Due

A jury's determination that Jack Ruby is sane has cleared the way for the Texas Court of Criminal Appeals to take up the appeal of his conviction for the murder of Lee Harvey Oswald.

The seven-man, five-woman jury, after only a few minutes' deliberation, returned a verdict Monday after Ruby dramatically took the stand over the objections of his lawyers and said he had no wish to be declared insane.

The Court of Criminal Appeals had ordered the sanity hearing to determine if Ruby is capable of choosing his own counsel. The jury's verdict apparently settled the issue.

Ruby's voluntary statement followed testimony by four of his jail guards and the jail physician. They testified he seemed to be a normal prisoner with a superior mental capacity.

"Never at any time have I tried to make anyone believe I was of unsound mind," said Ruby. "I don't know who conspired to do this."

RUBY, SPEAKING calmly and without hesitation, said that during earlier interviews on television he has "tried to answer every question intelligently."

"I never tried to camouflage my true mental capacity," he said Monday afternoon.

Ruby's statement followed a day-long hearing in which his lawyers took no part except to object at every turn that the hearing was unconstitutional.

ASST. DIST. ATTY. Bill Alexander, making the closing argument for the state in the trial before visiting Dist. Judge Louis Holland, said:

"I think Jack Ruby is in a better condition than his lawyers are. At least he takes a realistic view of this case and knows he is subject to the penalty in this case."

"His lawyers squabbling around and crying constitutional rights are doing what I think is a poor job of representing him. I almost feel sorry for Jack Ruby."

Immediately after the hearing, Sol Dann of Detroit, one of Ruby's attorneys, said the defense will either make a direct appeal to the U.S. Supreme Court to set aside the verdict or ask for a federal writ of habeas corpus, claiming Ruby is being held on a void verdict.

JOE TONAHILL of Jasper and Emmett Colvin of Dallas, who comprised one faction of Ruby's defense team at the hearing, filed a lengthy objection to the proceedings.

The objection said, "It is contended that this trial is being unconstitutionally forced upon defendant Jack Ruby for the benefit of the state after the

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affidavit of insanity dated April 27, 1961, which was filed herein by Jack Ruby's sister, Eva Grant, was removed and withdrawn by her on June 9, 1966."

The two lawyers went on to propose the hearing be delayed until a federal court could rule on its constitutionality.

Judge Holland of Montague overruled the motion, saying that the Court of Criminal Appeals had ordered the hearing and he intended to obey the order.

THE OTHER faction of lawyers, Dann, Phil Bursleson of Dallas and Sam Houston Clinton Jr. of Austin, made several suggestions to the judge, including one that the press be barred from the courtroom. The judge refused, although he did bar the press from talking to Ruby.

Ruby, dressed in a dark suit and grey tie, stared at his guards and they testified about their day-to-day relations with him. He occasionally smiled and whispered to Clinton who sat beside him.

After each witness was questioned by the state, Tonahill would rise and make an objection, and then Bursleson would

say, "We stand upon the motions and verbal representations heretofore filed in this court."

After Tonahill filed his objection, Dann objected to Tonahill's participation in the case. The Court of Criminal Appeals reinstated Tonahill in the case after Ruby and his family tried to fire him. Tonahill had claimed Ruby was insane and thus incapable of choosing his own counsel.

"THE RULING of the court, as we understand it, was an invitation for Tonahill and his associates to walk alongside of us at a respectable distance, but not to join us," said Dann.

Now that Ruby has been found sane, he apparently will be able to fire Tonahill if he chooses. But Tonahill said, "I will continue to work for him. I consider it my duty."

The hearing ended on a pleasant note as Judge Holland thanked the jury, then congratulated the defense lawyers, saying: "You have done your best for your client."

Dann replied to the judge: "You have restored our faith in our judicial system."

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Jack Ruby Found Same During (Brief) (Hearing)

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Mr. Casper
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Mr. Conrad
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Mr. Rosen
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Miss Holmes
Miss Gandy

Ruby Hearing Quiet, But Where Is Gavel

There was a small security leak at the Jack Ruby sanity hearing Monday.

Armed deputies, headed by Sheriff Bill Decker, moved Ruby in and out of the courtroom with little difficulty.

Guards watched the audience during the hearing and there was no disturbance.

More deputies remained in the hallway, vigilant and watchful of possible outbursts.

But when Dist. Judge Louis Holland returned from lunch, he discovered that someone had stolen his gavel.

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Guard Calls Ruby Good Gin Player

Five state witnesses testified Monday that Jack Ruby is sane.

One of them, a jail guard, described Ruby as a "pretty good gin rummy player."

Deputy K. H. Croy said Ruby cheated "occasionally" at cards but the officer caught him in the act.

"He didn't like it too much," Croy smiled.

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"He has a very fine mind," Elliott said.

Deputy Don Standridge said Ruby preferred to read legal material and had an "exceptionally good memory."

While Standridge guarded him, he said, Ruby was concerned with personal appearance and always followed orders, although "he didn't like to."

Deputy Archie F. Watson said he played dominoes and cards with Ruby earlier this year. He said he never noticed any hallucinations or delusions in Ruby's actions.

Dr. John W. Callahan said he met Ruby last Oct. 6—Dr. Callahan's first week as jail physician—and has seen him twice a week since.

Ruby works crossword puzzles and his attitude is "very good," Dr. Callahan said.

He is in good physical condition "in keeping with his age and sex," the doctor testified. His last blood pressure count was 130 over 80 and he had a 72-beat-per-minute pulse.

Asked if Ruby appeared suicidal, Callahan answered "definitely not."

Assistant Dist. Atty. Jim Timmermann was told that Ruby knows the difference between right and wrong and, in the doctor's opinion, is of sound mind.

Ruby's lawyers presented no witnesses and did not question witnesses called by the state.

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Attorneys Point Out Objections

Jack Ruby's five lawyers pointed out several reasons for not participating in Ruby's sanity trial Monday.

The lawyers, in two factions, refused to aid in jury selection and did not question witnesses.

Joe Tonahill and Phil Burleson, spokesmen for the two groups, objected to the sanity trial and each witness against Ruby, including Ruby himself.

Burleson, Sol Dunn of Detroit and Sam Houston Clinton Jr. of Austin made their position clear in motions filed earlier.

They claimed that when Mrs. Eva Grant, Ruby's sister, withdrew her affidavit that Ruby is insane, the sanity issue was no longer before the court. State's attorneys contended—and the contention was accepted by Dist. Judge Louis Holland—that the sanity determination was ordered by the State Court of Criminal Appeals.

Burleson explained that the defense request to drop the sanity issue was to "avoid further legal entanglements."

The attorneys also argued that if the sanity trial were canceled, the State Court of Criminal Appeals could proceed with the Ruby appeal. If Ruby were proven insane, they said, he would be sent to a mental institution.

If the sanity trial were postponed and Ruby's case reversed, he could receive private psychiatric care.

When Judge Holland ruled that the trial be held, the attorneys announced they considered it detrimental and unconstitutional.

In a motion to postpone the hearing, Tonahill and Einmett Colvin of Dallas pointed out similar arguments and added that the purpose of the hearing was to resolve the controversy over attorneys.

They insist that all attorneys—both factions—had agreed to proceed with the appeal as directed by the Austin court, leaving the sanity question "moot."

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Tonahill asked that Ruby be studied by specialists in psychiatry and neurology at Parkland Hospital in Dallas or John Sealy Hospital in Galveston.

He said that Dr. L. J. West, professor of psychiatry at the University of Oklahoma, has agreed to study Ruby and transmit the results to the court.

He said Dr. West had not been available to study Ruby earlier.

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Jury Set For Ruby Hearing

By WAYNE KING
and TOMMY AYRES
Staff Writer.

A jury in the sanity trial of accused slayer Jack Ruby was seated at 11:45 a.m. Monday.

The surprise move, — made possible when defense attorneys offered no questions to prospective jurors — came only minutes after the 5-member panel was questioned as a group. About

10 members were excused for varied reasons at that time, and the 12-man jury then came from the first 12 names remaining.

Seven men and five women are on the jury.

Seating of the jury came after a series of motions by defense attorneys during the morning.

Most of the motions, which ranged from instructions to reporters to a request that the hearing be declared constitutionally void, were overruled by Judge Lewis Holland. However, the one motion allowed specified that reporters could not interview Ruby and that no photographs could be taken in the hall or courtroom.

Ruby was whisked to the courtroom without incident shortly after prospective jurors were seated at 10:45 a.m. He was accompanied by Sheriff Bill Decker and one deputy.

RUBY WAS wearing a dark suit and gray tie. His condition generally appeared somewhat

better than during his last public appearance about two months ago.

Reporters were cleared from the courtroom as both Ruby and about 75 prospective jurors entered.

The long series of defense motions was touched off in a 20-minute list of objections voiced by attorney Joe Tonahill of Jasper. In brief, the motions declared:

1. The hearing should be declared constitutionally void because it violates Ruby's rights under the fifth, sixth, eighth and 14th amendments to the U.S. Constitution.

2. The hearing would damage Ruby's personal well being and health, and would provide evidence which could be used against him in future trials.

3. The hearing should be continued until a higher court could determine if it was constitutional.

4. The hearing should be continued until Ruby, who has not had a recent psychiatric examination, could be admitted to a mental hospital for thorough testing.

All four motions were overruled by Judge Holland.

IN OBJECTING to the last motion, Asst. Dist. Atty. Bill Alexander pointed out such psychiatric testing was done before April, 1964, and since that time Sheriff Bill Decker had issued orders to make Ruby available for psychiatric testing.

"They (the defense) have shown a lack of diligence in preparing for this hearing which

they themselves have sought," Alexander said.

The other defense motions followed by attorney Phil Burleson of Dallas and Sel Dann of Detroit. Among other things, they asked that Tonahill be barred from the case and pointed out that any compelling association between Tonahill and Ruby's chosen attorneys violated Ruby's constitutional rights.

JUDGE HOLLAND also overruled this motion.

The judge, in making his ruling, stated he would abide by a decision of the Court of Criminal Appeals that Tonahill be associated in the case.

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16A

"The Dallas
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By WAYNE KING
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Staff Writer

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media be barred from the court throughout the hearing.

That, too, was refused by the judge.

The hearing got under way Monday shortly after Tonahill flatly stated that he and other attorneys would "have no part" in the action.

Tonahill told reporters of the defense plan shortly before the hearing began. He also said that in his opinion Ruby presently is insane, but pointed out the withdrawal of an affidavit filed by Mrs. Eva Grant, Ruby's sister, "has tied our hands."

MRS. GRANT'S affidavit, in which she claimed her brother was insane, was withdrawn only one day before Judge Holland ordered the sanity hearing as scheduled by the Texas Court of Criminal Appeals.

Among the spectators as the sanity hearing began was Mrs. Marguerite Oswald, mother of accused presidential assassin Lee Harvey Oswald—the man Ruby was convicted of killing. She was accompanied by Joe Elstrand, a Fort Worth attorney.

"Certainly I'm interested," Mrs. Oswald replied in response to reporter's questions. "This man shot my boy and deprived the Oswald family and the world of the truth."

Judge Holland, even before hearing the defense motions, had stated no photographs

would be taken in the courtroom and declared he "preferred" none to be taken in the hallway.

Sheriff Bill Decker, who relayed the instructions, explained that Judge Holland cited the recent Supreme Court ruling of a new trial for Dr. Sam Shepard as his reason for banning the photographs in the courtroom.

SPECTATORS PACKED the courtroom even before Ruby and the prospective jurors arrived. Others were turned away as the questioning of the jury panel began.

The date for the present hearing was set about a month ago after the Texas Court of Criminal Appeals reviewed its order of Feb. 4, 1963, that Ruby's present mental condition be determined. Dist. Atty. Henry Wade and assistants Bill Alexander and Jim Zimmerman are representing the state.

A prosecutor said the state's case will depend on what the defense does, since the burden of the proof in the sanity hearing is on the defense and the defense must open the proceedings.

The prosecutor indicated the state planned to put on only a few witnesses if the defense does nothing, but was prepared to offer evidence from both psychiatrists and persons who have observed Ruby in jail if necessary.

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Ruby's Sister Doesn't Want Sanity Hearing

Jack Ruby's sister said Monday she doesn't know whether or not her brother is insane but the Ruby family doesn't want a sanity trial regardless.

"What we want now is to go ahead and hear the appeal," said Mrs. Grant. She added she believes it is unconstitutional to force her brother into a sanity hearing.

She said Ruby, under death sentence for the slaying of Lee Harvey Oswald, needs friends more than lawyers now.

"Lawyers are a dime a dozen," she said in an interview Monday morning.

Mrs. Grant once again was critical of attorney Joe Tonahill of Jasper.

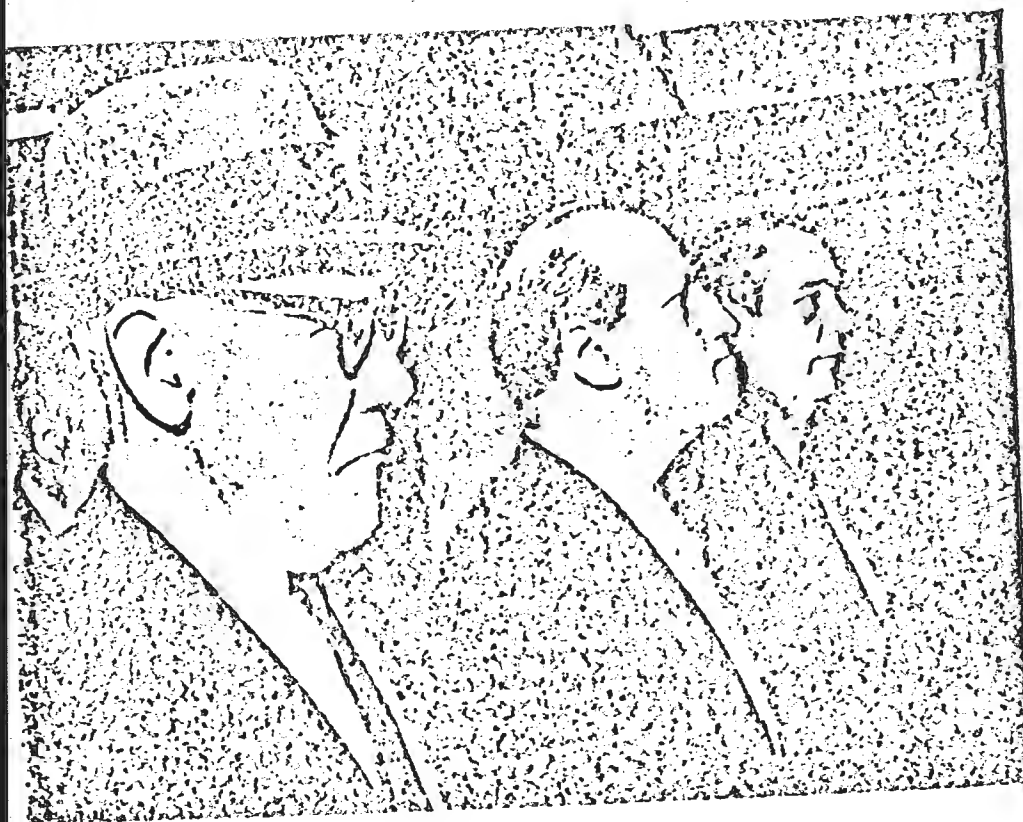
"We never hired him. He attached himself to this case and won't let go," Mrs. Grant said.

Mr. Tolson _____
Mr. Ladd _____
Mr. Mohr _____
Mr. Wick _____
Mr. Casper _____
Mr. Callahan _____
Mr. Conrad _____
Mr. Felt _____
Mr. Gale _____
Mr. Rosen _____
Mr. Sullivan _____
Mr. Tavel _____
Mr. Trotter _____
Tele. Room _____
Miss Holmes _____
Miss Gandy _____

(Indicate page, name of newspaper, city and state.)

8A

"The Dallas
Times Herald"
Dallas, Texas



RUBY ARRIVES FOR HEARING

Jack Ruby, center, was quiet and subdued Monday as he arrived in the basement of the new county courthouse for his sanity hearing. Escorting him from the jail was Sheriff Bill Decker, left.—Staff Photo.

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Trial on Ruby's Sanity Ordered

Dist. Judge Louis T. Holland ~~agreed~~ Friday that a sanity trial for Jack Ruby must begin at 9 a.m. Monday and told objecting attorneys "you can fold your hands if you want to."

Ruby lawyers asked that the sanity trial be canceled and, when overruled, said they would not present witnesses or participate in the trial.

Judge Holland said the State Court of Criminal Appeals ordered him to determine Ruby's mental condition, although Ruby's sister withdrew her affidavit claiming Ruby is insane.

"A jury will be present and the issue of the sanity of the defendant will be submitted to the jury," Judge Holland declared.

Ruby's sister, Mrs. Eva Grant of Dallas, and a group of Ruby attorneys attempted to head off the unwanted sanity hearing by claiming that with the affidavit withdrawn, there was no sanity issue and could be no trial.

Judge Holland explained that the issue of sanity has been raised and unless he is ordered to cancel the trial it will be held.

The judge's action unified the often disagreed attorneys in the case. Joe Tena-hill of Jasper and Emmett Colvin of Dallas joined Ruby family attorneys in objecting to the trial.

The two and Phil Burleson of Dallas, Sol Dann of Detroit and Sam Houston Clinton Jr. of Austin planned work sessions through the weekend.

Ruby lawyers, who have claimed Ruby has become insane since his 1964 trial for the killing of Lee Harvey Oswald, avoided direct comment on his mental condition during the hearing.

Their reasons for asking cancellation of the trial included attempts to "avoid further legal entanglements." Without the sanity trial, Burleson said, the Austin appeals court could review the main trial record.

If the case is reversed, he added, Ruby could be treated in a private or veterans hospital, rather than a state institution.

Dist. Atty. Henry Wade and assistant Brl Alexander, who insist that Ruby is sane, produced the only statements Friday alleging that Ruby is insane.

They pointed to several insanity allegations included with Ruby court records. These allegations were not withdrawn with Mrs. Grant's affidavit, they explained, leaving the sanity issue before the court.

The state is expected to call several psychiatric experts during the sanity trial. Lawmen and other persons who have observed Ruby are also expected to testify.

The Ruby lawyers filed a motion stating they "will be present in the courtroom but will not actively participate in examining members of the jury panel or present witnesses.

If Ruby testified, they claimed, his testimony could be used against him in a new trial.

(Indicate page, name of newspaper, city and state)

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Dallas, Tex

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Jack Ruby Hearing Scheduled

A sanity hearing for Jack Ruby will begin at 9 a.m. Monday, but unless his lawyers change their mind it will be a one-sided affair.

Dist. Judge Louis Holland of Montague ordered the sanity hearing Friday over the strong objections of Ruby's attorneys who claimed the hearing would violate Ruby's constitutional rights.

The lawyers were ordered to appear in the courtroom Monday morning but they said they will not call Ruby or any witnesses to testify to his insanity.

IF THEY HOLD to this position, said Asst. Dist. Atty. Bill Alexander, the judge will have no choice but to instruct the jury to find Ruby sane.

A sanity hearing reverses the normal procedure in criminal trials in which the defendant is presumed innocent and must be proven guilty by the state. In a ~~sanity~~ hearing, a defendant

is presumed sane and must be proved insane, so the defense would normally present its case first and the prosecution would answer its arguments.

Alexander indicated the state will produce evidence of Ruby's sanity even if the defense does not try to prove him insane.

PSYCHIATRISTS and people who who have observed him in jail are expected to be called by the state.

Attorneys Phil Bureson of Dallas, Sol Dann of Detroit and Sam Houston Clinton Jr. of Austin did not contend at the pre-trial hearing Friday that Ruby is now sane.

"At this time we are not contesting that fact," said Dann.

The three attorneys, together with Joe Tonahill of Jasper, argued the sanity trial is not necessary since Mrs. Eva Grant of Dallas, Ruby's sister, moved to withdraw her affidavit claiming Ruby is insane.

Judge Holland ruled the withdrawal of the affidavit does not cancel the sanity hearing since other affidavits had been filed with the Texas Court of Criminal Appeals which ordered the hearing.

The defense attorneys indicated they would refuse to present witnesses Monday because any testimony could be used against Ruby in later proceedings.

Mr. Tolson _____
Mr. DeLoach _____
Mr. Mohr _____
Mr. Wick _____
Mr. Casper _____
Mr. Callahan _____
Mr. Conrad _____
Mr. Felt _____
Mr. Gale _____
Mr. Rosen _____
Mr. Sullivan _____
Mr. Tavel _____
Mr. Trotter _____
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Miss Gandy _____

(Indicate page, name of newspaper, city and state.)

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Ruby Plea to Cite Sheppard Decision

The U.S. Supreme Court decision in the Sam Sheppard murder case will have "a very important effect" on Jack Ruby's appeal from his death sentence, a defense lawyer said Friday.

"We will certainly cite the Sheppard decision in our briefs in the Ruby case," William M. Kunstler of New York said. "It strengthens our position. There is a close parallel between the Sheppard trial and the Ruby trial."

The Supreme Court voted 8 to 1 Monday to set aside the life sentence which Dr. Sheppard, a Cleveland osteopath, received after a jury convicted him of murdering his wife.

(The State of Ohio Friday ordered a new trial for Sheppard. Cuyahoga County prosecutor John T. Corrigan said another trial will be held because "society has been the victim of a heinous crime which demands redress.")

Associate Justice Tom Clark, who wrote the majority opinion, said Dr. Sheppard stood trial in a carnival-like atmosphere with reporters filling the courtroom.

JUSTICE CLARK said the trial judge should have limited the number of reporters permitted in the courtroom and should have stopped attorneys, police and other witnesses from making prejudicial statements outside the courtroom.

Before Ruby stood trial on a charge of murdering Lee Harvey Oswald, Criminal Dist. Judge Joe B. Brown announced he would limit the number of reporters to seats available for them. He also banned photographers from the courtroom.

But jurors passed television and newspaper photographers upon entering and leaving the building for meals. They also saw long lines of curious Dallas residents who hoped to gain admission to the courtroom.

Melvin Belli, the chief defense attorney at the trial, held press conferences almost daily and, while more reserved than Belli, prosecutors also made comments to reporters.

KUNSTLER believes that, by an ironic coincidence, he helped bring about the Supreme Court decision in the Sheppard case.

An author as well as a lawyer, Kunstler wrote a book, entitled "The Minister and the Choir Singer," about the famed Hall-Mills murder case. When he reviewed the book at the Overseas Press Club in New York, those present included the late Dorothy Kilgallen, a columnist and television personality, and F. Lee Bailey, an attorney representing Sheppard.

Miss Kilgallen compared the Hall-Mills case to the Sheppard trial, which she had covered, and mentioned that the trial judge in

the Sheppard case had told her during briefings that he believed the osteopath was guilty.

Bailey questioned her immediately and used the information to build a major point in his appeal.

Mr. DeLoach _____
Mr. Mohr _____
Mr. Wick _____
Mr. Casper _____
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Mr. Gale _____
Mr. Rosen _____
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